

# 9. USE STANDARDS

## 9.1 AGRICULTURAL USES

A. **Farming, Crop Production.** The production of crops, plants, vines, and trees (excluding forestry operations), including but not limited to grain and vegetable farms, horticulture, greenhouses, orchards, tree nurseries, hydroponics, and aquaponics.

1. **Uses Not Included:**

(1) Incidental vegetable gardening or landscaping.

B. **Commercial Livestock.** An open space area use dedicated to commercially raising, and breeding, livestock for commercial purposes, which may include associated building and shelters.

1. **Uses Not Included:**

(1) Stockyards, Poultry Houses, Slaughterhouses, Animal Auction Houses.

2. **Use Specific Standards:**

(1) The minimum lot area upon which livestock may be kept is 1 acre. Not applicable to fowl.

(2) No more than 1 head of livestock shall be permitted for each 0.5 acre of lot area for large livestock (horses, cows, etc.). No more than 8 head of livestock for each 0.5 acre of lot area for medium sized livestock (sheep, goats, etc.). No requirement for fowl.

(3) Areas where livestock are kept shall be enclosed with a fence

(4) Structure for livestock sheltering/housing is required.

(5) No structure shall be closer than 50 feet to the property line.

C. **Personal Use Livestock.** An open space use dedicated to keeping livestock that are not being used for commercial purposes.

1. **Examples:** Keeping of horses, sheep, goats, etc. for subsistence/personal use and purposes only.
2. **Uses Not Included:**
  - (1) Breeding livestock. Commercial Livestock. Fowl.
  - (2) Fowl regulated by *City Code of Ordinances Article 1, Section 14.2.*
3. **Use Specific Standards:**
  - (1) The minimum lot area upon which livestock may be kept is 1 acre. Not applicable to fowl.
  - (2) No more than 1 head of large livestock (horses, cows, etc.) shall be permitted for each 0.5 acre of lot area. Not applicable to fowl. No more than 8 total head of medium sized livestock (sheep, goats, etc.) for each 0.5 acre of lot area regardless of species. No requirement for fowl.
  - (3) Areas where livestock are kept shall be enclosed with a fence.
  - (4) *Structure for livestock sheltering/housing is required.*
  - (5) No livestock sheltering/housing structure shall be closer than 50 feet to any property line.

**D. Stockyards, Poultry Houses, Pig/Hog Farming, Slaughterhouses, and Animal Auction Houses.** Commercial livestock uses deemed as potentially hazardous or disruptive land use activity.

1. **Use Specific Standards:**
  - (1) Stockyards, Poultry Houses, Slaughterhouses, and Animal Auction Houses shall not be located closer than 1,000 feet to any adjacent residential use (animal enclosure to structure) on a separately platted parcel of land under separate ownership. No incineration of animals or animal refuse shall be permitted on-site.
  - (2) Use requires a minimum site area of 10 contiguous acres.
  - (3) Areas where livestock are kept shall be enclosed with a fence.
  - (4) Structure for livestock sheltering/housing is required.
  - (5) No structure shall be closer than 50 feet to the property line.

E. **Forestry and Logging.** The use of land whereby forests are tended, harvested for commercial purposes, and reforested either by natural or artificial reforestation, and where timber is cut and sorted on-site.

1. **Use Specific Standards:**

- (1) Forestry and Logging activities covered under S.C. Code 1976, §48-23-205 are exempt from regulations contained in this Ordinance and permitted in all zoning districts.
- (2) Forestry and Logging activities not covered under S.C. Code 1976, §48-23-205 must obtain tree protection approvals pursuant to *Section C.5.16 Tree Preservation/Protection* prior to forestry and logging activities taking place.

2. *Exceptions:*

- (1) Removal of trees on an individual lot of record with an established residential use is not considered forestry and logging.

F. **Nursery, Plant and Landscaping.** An establishment whose primary function is the retail sales of live plants and trees, mulch, compost, and the like to individual customers or wholesale.

1. **Accessory Uses:** The sale of landscape supplies.

2. **Examples:** A plant nursery or tree farm.

3. **Use Specific Standards:**

- (1) Live plants (including ornamentals, fruit and nut crops, and herbaceous plants) included within a nursery shall not be considered outdoor storage.
- (2) Outdoor storage yards of bulk material (i.e. mulch, compost) shall comply with the standards of *Section B.9.4.R: Outdoor Storage*. Mulch is defined as any material used as ground covering for the protection and enhancement of the soil.
- (3) Heavy machinery sales are not permitted.

## 9.2 RESIDENTIAL USES

A. **Dwelling, Single-Family Detached.** A residential building containing 1 dwelling unit, to be occupied by 1 family. For regulatory purposes, the term is not to be construed as including manufactured/mobile homes, recreational vehicles, travel trailers, housing mounted on motor vehicles, tents, houseboats, or other forms of temporary or portable housing.

1. **Accessory Uses:** Accessory uses commonly found are recreational facilities, piers, and docks and accessory structures such as a garage or shed.

Permitted home occupation shall be clearly incidental and subordinate to the residential use of the dwelling and shall not change the residential character of the dwelling.

2. **Use Specific Standards:**

(1) All accessory uses shall be clearly incidental to permitted principal use. All accessory buildings and pools shall be located in the side or rear yard.

B. **Dwelling, Single-Family Attached.** A structure with 2 attached single-family dwelling units, with each dwelling joined to at least 1 other dwelling along a single lot line and separated from the other attached dwelling by an unpierced common wall from ground to roof.

1. **Accessory Uses:** Accessory Uses commonly found are recreational facilities, parking of motor vehicles for the occupants, piers and docks, and accessory structures such as a garage or shed.

2. **Use Specific Standards:**

(1) Single-Family attached buildings shall be limited to 2 dwelling units per building.

(2) All accessory and uses shall be clearly incidental to permitted principal use. All accessory buildings and pools shall be located in a side or rear yard.

(3) Submission of a floor plan and plot plan are required.

C. **Dwelling, Suburban Townhouse.** A series of at least 3 to 8 single-family dwelling units, with each dwelling joined to at least 1 other dwelling along a single lot line and separated from other attached dwellings in the series by an unpierced common wall from ground to roof. Suburban townhome dwellings are intended to be established where the suburban form is a primary characteristic of the surrounding area.

1. **Accessory Uses:** Accessory uses commonly found are recreational facilities, parking of motor vehicles for the occupants, piers and docks, home occupations, and accessory structures such as a garage or shed.
2. **Use Specific Standards:**
  - (1) Suburban Townhomes shall have a minimum of 3 units and a maximum of 8 units.
  - (2) All townhome units shall front on either a public street or a private street that is part of a Planned Development.
  - (3) All accessory buildings and uses shall be clearly incidental to permitted principal use.
  - (4) Maximum 1 accessory building per unit.
  - (5) All accessory buildings and pools shall be located in a rear yard.
  - (6) Minimum site area to establish a suburban townhome development is 2 acres.
  - (7) Auxiliary parking at the rate of 1 space per 4 units must be provided.
  - (8) A common landscaping plan identifying the location, species, caliper (trees), gallon size (shrubs), sodding area, and height at time of planting for all plantings to be installed at the front and sides of all units. Sodding must be used for ground cover for all pervious area to the front and sides of all townhome structures, except for planted landscape bed areas.
  - (9) Submission of site plan and floor plan is required.

D. **Dwelling, Urban Townhouse.** A series of at least 3 to 8 single-family dwelling units, with each dwelling joined to at least 1 other dwelling along a single lot line and separated from other attached dwellings in the series by an unpierced common

wall from ground to roof. Urban townhome dwellings are an infill development housing type employed with the Residential Infill Overlay District.

1. **Accessory Uses:** Accessory uses commonly found are recreational facilities, parking of motor vehicles for the occupants, piers and docks, home occupations, and accessory structures such as a garage or shed.
  2. **Use Specific Standards:**
    - (1) Urban Townhomes shall have a minimum of 3 units and a maximum of 8 units.
    - (2) All townhome units shall front on either a public street or a private street that is part of a planned development.
    - (3) Individual front drive access urban townhome units is prohibited.
    - (4) All accessory and uses shall be clearly incidental to permitted principal use.
    - (5) All accessory buildings and pools shall be located in the rear yard.
    - (6) Auxiliary parking at the rate of 1 space per 4 units must be provided.
    - (7) Provision of a common parking area(s) to the rear or side of units is required.
    - (8) A common landscaping plan identifying the location, species, caliper (trees), gallon size (shrubs), sodding area, and height at time of planting for all plantings to be installed at the front and sides of all units. Sodding must be used for ground cover for all pervious areas to the front and sides of all townhome structures, except for planted landscape bed areas.
    - (9) Submission of site plan and floor plan is required.
    - (10) Shall only be established in the Residential Infill Overlay District.
- E. **Dwelling, Duplex.** A single building on 1 parcel of land that is designed, constructed, and used for 2 separately contained dwelling units. The term is not to be construed as including mobile homes, recreational vehicles, travel trailers, housing mounted on motor vehicles, tents, houseboats, or other forms of temporary or portable housing.

1. **Accessory Uses:** Accessory uses commonly found are recreational facilities, parking of motor vehicles for the occupants, piers and docks, and accessory structures such as a garage or shed.
2. **Use Specific Standards:**
  - (1) All accessory and uses shall be clearly incidental to permitted principal use.
  - (2) All accessory buildings and pools shall be located in a side or rear yard.
  - (3) Submission of a floor plan and plot plan are required.

F. **Dwelling, Triplex or Quadplex.** A residential building containing 3 or 4 separately contained dwelling units on 1 parcel of land. For regulatory purposes, the term is not to be construed as including mobile homes, recreational vehicles, travel trailers, housing mounted on motor vehicles, tents, houseboats, or other forms of temporary or portable housing.

1. **Accessory Uses:** Accessory uses commonly found are recreational facilities, parking of motor vehicles for the occupants, piers and docks, and accessory structures such as a garage or shed.
2. **Use Specific Standards:**
  - (1) All accessory and uses shall be clearly incidental to permitted principal use. All accessory buildings and pools shall be located in a side or rear yard.
  - (2) Maximum 1 driveway access to public street permitted per structure.
  - (3) No additional driveway access shall be permitted for structures being converted to triplex/quadruplex use where a driveway has already been established.
  - (4) Parking areas shall be provided to the side or rear of the structure, not located in the front yard area
  - (5) Floor plan and site plan submission required.

G. **Dwelling, Suburban Multifamily.** Multi-family dwelling units are characterized by a building that contains 5 or more dwelling units on 1 parcel of land. This definition includes condominiums or multifamily apartments. Suburban multi-family

dwellings are intended to be established where the suburban form is a primary characteristic of the surrounding area.

1. **Accessory Uses:** Accessory uses commonly found are recreational facilities, parking of motor vehicles for the occupants and guests, piers and docks, and accessory structures such as garage or shed.
2. **Examples:** Uses include living in apartments, condominiums, and apartments.
3. **Use Specific Standards:**

(1) All multi-family developments shall be required to provide bulk waste containers such as dumpsters based on the schedule below:

- a. 0 – 30 Units – Minimum 8 cubic yards of bulk waste containment area serviced on a weekly basis.
- b. 31 – 60 Units – Minimum 16 cubic yards of bulk waste containment area serviced on a weekly basis.
- c. 61 – 90 Units – Minimum 24 cubic yards of bulk waste containment area serviced on a weekly basis.
- d. 91 – 120 Units – Minimum 32 cubic yards of bulk waste containment area serviced on a weekly basis.
- e. For every 30-unit increment over 120 units add 8 additional cubic yards of bulk waste containment area serviced on a weekly basis.
- f. Exceptions: Developments containing 8 units or less may not be required to provide bulk waste containers upon approval of the Sanitation Director.

**Note:** *If bulk waste container(s) are serviced more than once a week, than the cubic yards of said container(s) are counted for each weekly service. **Example:** If a 50 unit development having one 8 cubic yard container serviced twice a week is proposed, than the development meets the minimum criteria.*

- H. **Dwelling, Urban Multifamily.** Urban multi-family dwelling units are characterized by a building that contains 5 or more dwelling units, or may consist of upper-story residential in a mixed-use building (i.e. a building that contains a separate use on

the bottom floor, and dwelling units on the floors above). Urban multi-family dwellings are an infill development housing type employed within the Residential Infill Overlay District.

1. **Exceptions:** Units located in a vertical mixed-used situation within the DTC or DTT district are considered Urban Multi-Family Dwellings regardless of the number of units.
2. **Accessory Uses:** Accessory uses commonly found are recreational facilities, parking of motor vehicles for the occupants and guests, piers and docks, and accessory structures such as garage or shed.
3. **Examples:** Uses include living in apartments, condominiums, and apartments.
4. **Use Specific Standards:**
  - (1) All multi-family developments shall be required to provide bulk waste containers pursuant to *Section B.9.2.G.3.1: Use Specific Standards*.

- I. **Cottage Court Residential Development.** A cottage court residential development allows for small lot residential development in a manner that organizes various dwelling types around a common open space, designed as a cohesive whole and maintained in shared stewardship by residents or by a common owner responsible for maintenance and upkeep. Cottage court residential developments are an infill development housing type employed within the Residential Infill Overlay District.

1. **Use Specific Standards:**
  - (1) Cottage court residential development may take one of two forms:
    - a. A development may be designed with individual lots.
    - b. A development may also be designed as a multi-dwelling development.
  - (2) Only single-family (attached or detached), duplex, and triplex dwellings are permitted in a cottage court residential development.
  - (3) Accessory dwelling units (ADUs) are prohibited within a cottage court development.

- (4) 1 accessory structure, not to exceed 600 sf in area shall be permitted for each structure within the cottage court residential development. Such structures shall meet setback standards in *Section B.13.* and shall be located to the rear of the principal structure(s) the building is serving.
- (5) The minimum total area required for a cottage court residential development shall be determined by calculating the cumulative lot area required by the base zoning district for the number and type of primary structures to be constructed, and reducing the result by 50%. For the purposes of calculating the cumulative lot area required, there shall be no instance where the minimum required area for individual primary structure is less than 3,000 sf.
- (6) A cottage court residential development shall not exceed to 2 acres in size.
- (7) Individual lots or building sites within the cottage court residential development are exempt from the base zoning district standards for lot area, lot width, setback, street frontage, and impervious surface ratio (ISR) requirements. However, lot area, lot width, setback, street frontage and ISR apply to the cottage court development parcel as a whole.
- (8) The minimum and maximum number of units allowed are as follows:
  - a. Cottage court residential development shall include 4 or more principal structures. Individual structures may include more than 1 dwelling unit as is otherwise allowed by the base zoning district and the use specific standards for cottage court residential development.
  - b. The total number of units shall not exceed a gross density of 15 units per acre.
- (9) The fronts of all primary structures within a cottage court development shall be oriented towards the common open space area.
- (10) Common open space areas shall meet the following standards:
  - a. The minimum size of the common open space area shall be 3,000 sf or 500 sf per dwelling, whichever is greater.

- b. The common open space area shall maintain a minimum width of 30 feet, shall be contiguous and centrally located to the front of all principal structures in the development, and shall front onto a public street.
- c. A maximum of 30% of the common open space area may be hardscape.

(11) Dwellings oriented toward the common open space area shall provide a 5 ft. minimum setback from the common area, such setback does not count toward minimum common open space area requirements.

(12) Vehicular access and parking for a cottage court shall meet the following standards:

- a. Required off-street parking may be provided on individual development sites for each dwelling within the cottage court or in a shared parking area serving multiple dwellings on-site.
- b. Common parking areas shall contain no more than 10 spaces each.
- c. Parking areas shall be located to the rear or sides of primary structures.
- d. Internal streets or drives may be private. However, recorded shared access easements and associated plats (in accordance with the approved layout) shall be submitted prior to development permit issuance.
- e. Private internal streets or drives shall be a minimum of 25 ft. in width and meet all emergency access requirements.

(13) Cottage court residential developments with no subdivision of individual lots shall be reviewed and approved by the Planning Commission as Major Site Plan.

(14) Cottage court residential development with subdivision of individual lots shall be reviewed and approved by the Planning Commission as a Major Subdivision.

J. **Manufactured Home.** A manufactured home is a transportable structure of 1 or more sections built on a permanent metal chassis and designed to be towed.

This term shall not include modular dwellings placed on permanent foundations, nor shall it include travel trailers, motor homes, campers, or similar units designed for recreation or other short-term use. Manufactured homes have been constructed after June 15, 1976 and have the United States Department of Housing & Urban Development (HUD) label/tag certifying that the home is constructed in accordance with HUD Manufactured Home Construction and Safety Standards.

1. **Accessory Uses:** Accessory uses commonly found are recreational facilities, parking of motor vehicles for the occupants, and accessory structures such as a garage or shed.
2. **Use Specific Standards:**
  - (1) No new manufactured homes older than 20 years at the date of an executed manufactured home certification for new placement is permitted. Manufactured homes being moved from one location within the jurisdiction limits of the City of Sumter to another location within the jurisdiction of the City of Sumter are exempt from the requirements – provided they meet all other standards in this section.
  - (2) All manufactured homes shall be attached to a foundation and securely underpinned and/or anchored in accordance with manufacturer's specification. The securing of a unit to a foundation must be inspected and approved by the Sumter City-County Building Department.
  - (3) All manufactured homes shall have an unpierced solid curtain wall consisting of brick, stone, stucco, vinyl, wood. The curtain wall must match or be compatible with the color of the exterior siding of the manufactured home. Unfinished wood exterior material, such as plywood or similar materials, are not permitted for use to meet this requirement.
  - (4) All manufactured homes in the AC district shall be placed with the longest dimension parallel to the lot frontage.

- K. **Manufactured Home Park.** Any area, lot parcel, or tract held in common ownership that has been planned and improved for the placement of

manufactured homes and on which individual portions of said area, lot, parcel, or tract are leased for the placement of manufactured homes as a primary residence. Manufactured Home Parks shall have no less than 4 manufactured homes within the manufactured home park area.

**1. Use Specific Standards:**

- (1) A manufactured home park shall be served by a community water and sewer system, storm drainage system, and a refuse facility;
- (2) Internal paved roadways shall be required of all parks, and roadways shall have a minimum travel width of 18 ft. exclusive of parking;
- (3) No manufactured home shall have direct access to a collector or arterial street.
- (4) Each manufactured home shall meet the off-street parking requirements for a single-family detached dwelling.
- (5) A minimum of 10% of the park shall be developed for recreational purposes, with no recreation area having less than 500 sq. ft. in area.
- (6) All on-site roadway intersections shall be provided with a street light, and interior lights shall be provided at not less than 400 ft. intervals.
- (7) Each manufactured home site shall be at least 15 ft. from any other manufactured home, at least 15 ft. from the right-of-way of any drive which provides common circulation, at least 25 ft. from any side or rear property line, and shall meet the front yard setbacks for the street upon which it is located.

- L. **Group Home.** A residence of persons requiring care or supervision. For the purposes of this Ordinance “group homes” shall only be defined as a home intended to exclusively serve individuals with protected characteristics under the Federal Fair Housing Act or to exclusively serve those individuals described in *S.C. Code 1976, § 6-29-770 (E) through (H)* as further defined in *Section A.5: Definitions.*

**1. Use Specific Standards:**

- (1) Group home use application shall be submitted.

- (2) Maximum of 6 facility residents (9 for qualifying group homes under the state statute), not including on-site staff. Under no circumstances shall there be more than 2 residents per bedroom.
- (3) A minimum 1,500 feet separation (structure to structure) from any other group home facility.
- (4) A structure with an existing attached garage shall not convert the attached garage into conditioned, habitable living space.
- (5) The facility shall provide on-site parking that gives the visual appearance of a single-family dwelling. This shall include a driveway of a residential scale with no on-street parking permitted to accommodate minimum required parking. Any additional parking beyond the minimum numbers listed below shall be located to the rear of the dwelling.
  - a. A minimum of 1 parking space shall be provided for each vehicle operated by the facility.
  - b. A minimum of 1 parking space per staff member shall be provided for the maximum number of staff on-duty during daytime hours.
  - c. Parking shall be reviewed in a manner similar to that of a single-family dwelling where driveway length, width, and garage space will count toward required parking areas.
- (6) No commercial garbage collection containers/collection services shall be permitted for any group home facility located in a single-family residential dwelling in a residential zoning district.
- (7) A scaled site plan based on an as-built survey of the property showing building placement, parking, access, garbage collection areas, and similar features shall be submitted in conjunction with use application.
- (8) Scaled building floor plan depicting sleeping area, eating areas, sanitary facilities, recreation areas, office/employee areas, kitchen/pantry space, and laundry/utility spaces shall be submitted in conjunction with use application.

M. **Home Occupation.** Any occupation within a dwelling, and clearly incidental thereto, carried on by a member of the family residing on the premises.

1. **Use Specific Standards:**

- (1) The home occupation shall be an activity which is accessory and clearly incidental to the primary residential use of the premises.
- (2) Only the residents of the dwelling unit or rooming unit, and not more than 1 nonresident employee, shall be employed by or engaged in the conduct of the home occupation on the premises. For the purpose of this section, “nonresident employee” shall include an employee, business partner, independent contractor, or other person affiliated with the home occupation who is not a resident of the dwelling unit or rooming unit, but who visits the premises as part of the home occupation. Not more than 1 nonresident employee shall be permitted per dwelling unit or rooming unit, regardless of the number of home occupations.
- (3) The maximum floor area used for a home occupation shall not exceed 600 sq. ft. or 10% of the gross floor area of the principal structure, whichever is lesser. This limitation applies to accessory buildings used as part of the home occupation.
- (4) An accessory building used in the conduct of a home occupation must be in compliance with applicable setback requirements.
- (5) Exterior alterations or modifications that change the residential appearance of the residential use, any accessory building, or the zoned lot, is expressly prohibited.
- (6) Interior alterations or modifications that eliminate the kitchen, living room, all of the bathrooms, or all of the bedrooms of the residential use is expressly prohibited.
- (7) There shall be no exterior indication of a business use operating on the site. Outdoor storage or display of materials, goods, supplies, or equipment related to the conduct of a home occupation shall be prohibited, except that 1 commercial vehicle or trailer not to exceed 18 ft.

in length may be parked on the property in a location compliant with the City Code of Ordinances.

- (8) All parking necessary to accommodate the home occupation shall be located on the zoned lot, and on-street parking is expressly prohibited.
- (9) The following uses do not meet the definition of a home occupation and are expressly prohibited:
  - a. Automobile repair.
  - b. Automobile Sales.
  - c. Manufacturing and processing uses, except handcrafts, sewing, tailoring, quilting, or other similar activities where goods are not manufactured for stock sale or distribution.
  - d. Construction trades where there is on-site activity other than a home office.
  - e. Transportation and service trades with more than 1 vehicle or with a vehicle(s) not in compliance with this *Section*.
  - f. On-premises retail.
  - g. Any home occupation that does not meet the full criteria of *Section B.9.2.M.1: Use Specific Standards*.

N. **Upper Story Residential.** Dwelling units located on floors above a non-residential use within the same building. These units are typically part of a mixed-use structure where the ground floor is occupied by a permitted commercial, retail, office, public or institutional uses.

- 1. **Examples.** Accessory uses include mixed-use buildings featuring a separate use on the bottom floor, with residential above.
- 2. **Use Specific Standards:**
  - (1) Ground floor must remain active with commercial, retail, office, public or institutional uses; the residential use cannot dominate street frontage.
  - (2) Dwelling units located above a permitted non-residential use within the same building shall not be counted toward the calculation of residential density for the zoning district in which they are located.

- O. **Group Dwelling.** A building or portion of a building intended for occupancy by several unrelated persons, where individual rooms may be rented out for situations that do not meet the definition of family or other defined residential classifications. This is not to be construed as being the same as group home pursuant to *Section B.9.2.L: Group Home*.
1. **Examples:** Boarding and rooming houses.
  2. **Uses Not Included:**
    - (1) Fraternity/Sorority Dwellings
    - (2) Group Homes
- P. **Fraternity/Sorority Dwelling.** A building or portion of a building intended for sleeping accommodations (with or without accessory common rooms, cooking, and eating facilities) for groups of students who are members of a recognized or sanctioned fraternity or sorority by a specified education institution and where such living arrangements do not meet the definition of family.
1. **Uses Not Included:**
    - (1) Group Dwellings
    - (2) Group Homes

## 9.3 INSTITUTIONAL AND PUBLIC USES

- A. **Post office (Mail and Packages).** Includes any facility which allows customer to mail or deliver letters, packages, and goods. May be publicly or privately owned.
1. **Accessory Uses:** Accessory uses may include a cafeteria for staff, parking for workers and customers, and a parking area for mail or delivery trucks.
  2. **Examples:** United States Postal Services Facilities and commercial mail and delivery services such as storefront FedEx and UPS operations.
  3. **Uses Not Included:** Mail kiosks, lockers, and mailboxes are not subject to use standards and may be permitted as accessory structures.
- B. **Elementary/Primary Schools.** This category includes public and private schools, including charter and grades K-6, that provide state mandated basic education.
1. **Accessory Uses:** Accessory uses include play areas, cafeterias, recreational and sport facilities, auditoriums, and before- or after-school care.
  2. **Use Specific Standards:**
    - (1) Must meet the curricular teaching certification of instruction approved by the State Board of Education.
    - (2) All mobile or portable classrooms shall be located in rear yards. Administrative approval by the Planning Department may allow the placement inside front or side yards if placement in the rear cannot be accommodated.
- C. **Secondary Schools.** This category includes public and private schools grades 7-12, including charter school, technical high schools, and vocational technical high schools.
1. **Accessory Uses:** Accessory uses include play areas, cafeterias, recreational and sport facilities, auditoriums, and before- or after-school care.
  2. **Use Specific Standards:**
    - (1) All mobile or portable classrooms shall be located in rear yards. Administrative approval by the Planning Department may allow the

placement inside front or side yards if placement in the rear cannot be accommodated.

- D. **Higher Education (College, Junior College, University, Technical).** Universities, colleges, or vocational schools are higher learning establishments that provide post-secondary public school (including associate, bachelor, graduate, doctoral), vocational, and technical degrees and skills.
1. **Accessory Uses:** Accessory uses may include associated offices, parking, cafeteria, fitness facility, student union facilities, on and off campus dormitories owned and operated by the school, and on campus.
  2. **Examples:** Examples include a trade school, career center, vocational college, college, university, satellite campus or satellite branch of a university, college or vocational school.
  3. **Use Specific Standards:**
    - (1) All activities associated with a vocational school (or trade school) that cause excess noise or nuisance shall be within a completely enclosed building.
    - (2) University, college, or vocational schools may occur in existing buildings suitable for commercial activity, such as a shopping center.
- E. **Other Educational Facilities.** Educational Facilities include but are not limited to test prep, tutoring, professional licensing, or similar. Uses are understood to be limited in nature both in size and number of students.
- F. **Commercial Cemetery.** A place used, dedicated, or designated for cemetery purposes including any one or combination of perpetual care cemeteries, burial parks for earth interment; mausoleums; columbariums. A commercial cemetery is a licensed burial ground operated by a cemetery company under S.C. Code 1976, §40-8 (South Carolina Perpetual Care Cemetery Act).
1. **Accessory Uses.** Accessory uses may include associated facilities for perpetual care, mausoleum buildings, columbariums, administration, and parking. As used herein, "cemetery" may include perpetual-care cemeteries,

burial parks, mausoleums, or columbariums as defined in S.C. Code 1976, §40-8 (South Carolina Perpetual Care Cemetery Act).

**2. Use Specific Standards:**

- (1) Proposed cemetery sites must meet the minimum development standards for the zoning district in which it is to be located.
- (2) A site plan is to be submitted with the application.
- (3) Cemetery sites must be at least 30 acres.

**G. Religious Cemetery.** A parcel of land used, dedicated, or designated for cemetery purposes as a use associated with a religious institution, including any one or combination of burial parks for earth interment, mausoleums, or columbariums. Such cemeteries shall be located on private property, established without commercial intent, and used exclusively for the interment of members of the affiliated religion, religious congregation, their families, heirs, or descendants.

**H. Private Cemetery.** A place used, dedicated, or designated for cemetery purposes including any one or combination of perpetual care cemeteries, burial parks for earth interment; mausoleums; columbariums on private property, established without commercial intent, used exclusively for the interment of the property owner's family, heirs, or descendants. Not open to the general public and without perpetual commercial operation.

**1. Use Specific Standards:**

- (1) Proposed cemetery sites must meet the minimum development standards for the zoning district in which it is to be located.
- (2) A site plan is to be submitted with the application.

**I. Religious Institutions.** A facility intended as a house of worship that hosts organized religious services.

1. **Accessory Uses:** Accessory uses may include daycare facilities, schools, and recreational facilities.
2. **Examples:** A church, synagogue, temple, mosque, or similar religious house of worship.

- J. **Cultural, Library and Museum Facility.** A facility or site open to the public for cultural services and events operated by the government or a certified non-profit entity.
1. **Accessory Uses:** Accessory uses may include cafeterias, snack bars, parking, ancillary assembly, retail, or restaurant.
  2. **Examples:** Examples include community centers, libraries, museums, and historical societies.
- K. **Government Office.** A building, or portion of a building, wherein government activities are performed involving predominately administrative, record keeping, professional, and/or clerical operations and where professional services are rendered. For the purpose of this ordinance "government" includes local, state, and federal government agencies.
1. **Accessory Uses:** Accessory uses may include cafeterias, day care facilities, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.
  2. **Examples:** Examples include city hall buildings, government offices, court houses, public work facilities, municipal government buildings.
- L. **Public Safety.** Facilities operated by a public safety agency, commonly governmental, for the purpose of providing safety related services including fire and police, to the general public.
1. **Accessory Uses:** Accessory uses may include parking, cooking facilities, or holding cells within a police station.
  2. **Examples:** Public safety facilities including fire stations, police stations,, and emergency communication broadcast facilities.
- M. **Correctional Facility.** A private or government establishment primarily engaged in managing and operating correctional institutions. This establishment is designed for the confinement, correction, and rehabilitation of adult or juvenile offenders sentenced by a court.

1. **Accessory Uses:** Accessory uses include offices, meeting rooms, cafeteria facilities designed for the use of workers or inmates.
2. **Examples:** Examples may include a correctional institution, penitentiary, detention center, prison, and a jail.

N. **Mobile Classrooms.** A prefabricated, relocatable structure designed to provide temporary classroom space accessory to a school or place of worship. Such units shall be installed on a permanent foundation, have all transport-related hardware removed.

1. **Accessory Allowance.** Mobile Classroom units shall be allowed accessory to any School , Elementary, School, High, School, Middle and/or Place of Worship uses only.
2. **Use Specific Standards.**
  - (1) Screening shall be provided for Mobile Classrooms.
  - (2) Mobile Classroom units shall be placed on a masonry foundation and all wheels, axles, hitches, and other mobile appurtenances shall be removed.
  - (3) Mobile Classroom units shall be located to the rear or interior side of the principal building.
  - (4) A maximum of nine (9) Mobile Classroom units shall be allowed on a school and/or place of worship site concurrently.
  - (5) Connectivity. Mobile Classroom units shall be connected to the principal building via pedestrian walkways.

O. **Civic, Charitable, Professional, & Social Advocacy Organizations.** Various organizational types, typically not for profit, that have a specific mission and purpose. Such uses are low impact and resemble a professional office use type.

1. **Examples:** Examples may include professional business associations, social advocacy non-profit organizations, charitable organizations, etc.

## 9.4 COMMERCIAL RETAIL USES

- A. **Animal Kennels.** The use of land for the purpose of boarding animals. May include a pet resort which provides day care for pets in addition to grooming and training/classes.
1. **Accessory Uses:** *Outdoor play areas for animals, office, indoor storage, limited retail sales of pet associated items.*
  2. **Examples:** *Animal kennel or boarding facility, animal shelter.*
  3. **Uses Specific Standards:**
    - (1) Animal Kennels shall not be located closer than 500 ft. to adjacent residential uses (outdoor animal enclosure to structure) on a separately platted parcel of land under private ownership. Urban/Suburban multi-family uses are exempt from this separation requirement.
    - (2) All outdoor areas intended for animal use shall be fenced with a minimum six (6) foot fence.
    - (3) Animals shall be kept within an enclosed building between the hours of 10:00PM and 6:00AM.
    - (4) Animal waste shall not be stored closer than 10 feet from the property line.
- B. **Vehicle Sales and Rental Services.** Establishments that are involved with the sale or lease of automobiles (including but not limited to cars and boats), renting of motor vehicles, and display of motor vehicles for sale, lease, or rental.
1. **Accessory Uses:** Accessory uses may include showroom, associated office and storage, vehicle fueling (only for vehicles for sale or lease, not open to the general public), car wash (only for vehicles for sale or lease, not open to the general public), and limited retail sales of items associated with motor vehicles.
  2. **Examples:** Examples include but are not limited to car dealerships, boat dealerships, motor vehicle dealerships dealing in recreational vehicles, car rental establishments, moving vehicle rental establishments.

3. *Use Specific Standards:*

- (1) Vehicle display areas shall be an improved surface.
- (2) Vehicles shall not be displayed in any required buffer.
- (3) The use of loudspeakers or similar noise amplifying devices shall be prohibited.

C. **General Equipment Rental Services (Indoor and Outdoor).** The rental of supplies and large equipment primarily intended for use by construction, general, landscaping, or industrial contractors, including but not limited to hoists, lifts, forklifts, and commercial capacity generators and compressors, but not including car or truck rentals.

D. **Drinking Place/Nightclub/Private Club.** Any such establishments meeting the applicable definitions outlined in *Section A.5: Definitions*.

1. **Accessory Uses:** Ancillary indoor storage, associated office, outdoor patron areas (if permitted under the State A.B.C. regulations), and parking.
2. **Examples:** Bars, taverns, cocktail lounges, dancehalls, private clubs.
3. **Use Specific Standards:**
  - (1) Outdoor entertainment is limited to between hours of 8:00AM - 10:00PM, except in the DTC District.
  - (2) The use shall not be within 300 feet of a residential use, church, school, or public playground on a separately platted parcel (measured from structure to structure), except in the Downtown Core District (DTC)
  - (3) A six-foot high fence that is a visual screen shall be installed to separate this use from residential uses, where such residential uses are directly adjacent to the property or site containing the use.

E. **Bed and Breakfast.** A house, or portion thereof, offering short-term lodging and meals to guests. Accommodations are limited to a maximum of 6 guestrooms. This type of establishment is primarily a private home offering lodging and meals to guests. The appearance and primary function of the home shall remain as a residence, not as a lodging establishment.

1. **Accessory Use:** Accessory uses customary to single-family residences are permitted.
2. **Use Specific Standards:**
  - (1) Owner operator shall reside on premises.
  - (2) Limit exterior alternations to those necessary to assure safety of the structure or enhance compatibility of the bed and breakfast with the surrounding area.
  - (3) A maximum of 1 bed and breakfast inn shall be permitted on any one parcel.
  - (4) Operation of the Bed and Breakfast shall involve no exterior storage of materials or supplies.
  - (5) The principal use of any such structure or structure shall be residential.
  - (6) Rooms for sleeping shall be part of the primary residential structure.
  - (7) Owner must demonstrate that adequate space is available for required off street parking (1 space per bedroom).
  - (8) The resident owner shall keep a current guest register including names, addresses and dates of occupancy for all guests.
  - (9) Meals may only be served to registered guests.
  - (10) A bed and breakfast may not be used as a special events facility as defined in this Section.

F. **Broadcast Facility.** Any facility which deals in the broadcasting of television, radio, or satellite programming.

1. **Accessory Uses:** Accessory uses may include (but are not limited to) associated office and parking.
2. **Example:** TV broadcasting station.
3. **Use Specific Standards:**
  - (1) Communication Towers associated as an accessory use to the broadcast facility use shall be permitted in accordance with *Section B.9.9.B: Wireless Communication Towers*.

G. **Convenience Store w/ Fuel Sales.** Convenience stores with fueling stations are involved in the retail sales of fuel for motor vehicles, and convenience items including but not limited to food, beverages, tobacco products, and other similar products as its primary sales.

1. **Accessory Uses:** Accessory uses may include offices, storage or repackaging of goods for on-site sale, parking, and car wash.
2. **Examples:** Motor vehicle fuel stations with 1 or more fuel pump selling fuel for motor vehicles and selling items which generally serve the day-to-day retail needs of travelers (i.e. gas station).
3. **Use Specific Standards:**
  - (1) All accessory car washing, waxing, machine powered drying shall be in an enclosed building. Hand washing and drying may be conducted outside of an enclosed building.
  - (2) Requires a state-issued permit for the sale and distribution of beer and/or wine if selling such items.
  - (3) Has less than 3,200 square feet in retail space.

H. **Convenience Store w/o Fuel Sales.** Convenience stores involved in the retail sales of convenience items including but not limited to food, beverages, tobacco products, and other similar products as its primary sales.

1. **Accessory Uses:** Accessory uses may include offices, storage or repackaging of goods for on-site sale, parking, and car wash.
2. **Use Specific Standards:**
  - (1) Requires a state-issued permit for the sale and distribution of beer and/or wine if selling such products.
  - (2) Has less than 3,200 square feet in retail space.

I. **Crematorium.** A facility with a furnace for cremating dead bodies, either animal or human.

J. **Funeral Home.** A facility used for the preparation of the deceased and the display of the deceased for funeral services. The facility may include a furnace

for cremating dead bodies, either animal or human. The facility may include space and facilities for embalming and preparation of the dead for burial, performance of autopsies, and the storage of caskets and funeral supplies.

1. **Accessory Uses:** Accessory uses may include ancillary indoor storage, associated office and meeting space, parking, storage of funeral vehicles.
- K. **Grocery.** A store that is primarily engaged in selling food at retail for home preparation and consumption, such as grocery stores, fruit and vegetable markets, and retail bakeries and other specialty food products stores. A grocery store may sell non-food commodities, such as beverages, dairy, dry goods, fresh produce, and other perishable items, frozen foods, household products, and paper goods; may sell beer and wine for consumption off the premises with the appropriate beverage license.
- L. **Hotel/Motel.** Transient accommodations arranged for short term stays for compensation. This does not include patient transient accommodations, shelters for the homeless, boarding homes, or short-term rentals.
1. *Accessory Uses:* Attached meeting rooms, dining facilities, bar or lounge, restaurant, laundry facility, swimming pool, other recreational facilities.
  2. *Examples:* Examples include hotels and motels.
- P. **Extended Stays.** A residential or lodging facility designed and operated to accommodate guests for periods less than 90 consecutive days per S.C. Code 1976, §12-36-920 not intended for permanent residency. These facilities may include amenities such as kitchenette, laundry services, and workspace areas to support longer-term occupancy.
3. **Accessory Uses:** Accessory uses may include (but are not limited to) recreational facilities, parking lots, garages, sheds.
  4. **Use Specific Standards:**
    - (1) Off-street parking must be provided in accordance with *Section C.2 Parking*.

(2) Controlled access through a central lobby is encouraged; external individual room access may be restricted depending on district.

M. **Liquor Store.** A retail establishment engaged in the sale of packaged alcohol including, beer, wine, and/or spirits for consumption off premises.

1. **Accessory Uses:** Accessory uses include temporary, indoor, promotional display and the sale of prepackaged food, tobacco products, and lottery.

2. **Use Specific Standards:**

(1) This use shall not be within 300 ft. (measured in a straight line from structure to structure) of a residential use, religious institution, school or public playground on a separately platted parcel, except in the Downtown Core District (DTC) where required separation is exempted.

N. **Major Vehicle Service.** Facility dealing in more than minor vehicle service as defined. Major vehicle service includes an auto body shop, repair of motor vehicles components such as engines and transmission.

1. **Accessory Uses:** Accessory uses may include (but are not limited to) associated office, ancillary indoor storage, towing, outdoor storage of vehicles.

2. **Examples:** Examples include auto collision repair shops and paint shops.

3. **Use Specific Standards:**

(1) If located in the GC or DTT district or abutting a residential use, a Type B Buffer shall be provided.

(2) No stockpiling of parts or salvaging of vehicle parts.

(3) No storage of impounded vehicles.

(4) All storage of vehicles shall be fenced and prevented from view.

(5) A minimum lot size of 20,000 square feet is required.

O. **Minor Vehicle Service and Vehicle Part Sales.** Minor vehicle service establishments are involved with the limited service including such uses as oil changes, tire replacement, cleaning/detailing, and the like. Uses including vehicle repairs, autobody repair, painting, engine repair and replacement or

similar are understood to be defined as major vehicle service. Vehicle parts sales include the sale of vehicle goods.

1. **Accessory Uses:** Accessory uses may include limited sale of parts or vehicle accessories, towing, associated office, parking, repackaging of goods for on-site sale or use.
2. **Examples:** Examples include quick service such as (but not limited to) lubrication, battery sales and installation, auto detailing, minor scratch and dent repair, tire alignment, and fluid replacement.
3. **Use Specific Standards:**
  - (1) No stockpiling of parts or salvaging of vehicle parts.
  - (2) If located in the GC or DTT district or abutting a residential use, a Type B Buffer shall be provided. Vehicle storage area shall be screened from the public right-of-way and from adjacent residential uses from ground level to a height of 6 ft above ground level. This may be accomplished by a combination of fence/wall and landscaping.
  - (3) No storage of impounded vehicles in front yard.
  - (4) Vehicle storage areas shall be completely enclosed by a fence not to exceed 8 ft. in height.
  - (5) minimum lot size of 10,000 square feet is required.

P. **Fuel Dealer.** An establishment primarily engaged in the retail sale of bottled or bulk liquefied petroleum gas, fuel, oil, coal, wood, or other fuel.

Q. **Outdoor Storage Yards.** An outdoor area designated for the extended outdoor storage of cars, boats, other vehicles. This use is not to be confused with commercial parking, which excludes outdoor storage. Outdoor storage is for the extended storage of cars, boats, and other vehicles, machinery, and equipment or material.

1. **Accessory Uses:** Accessory uses may include associated office, parking.
2. **Use Specific Standards:**

- (1) Must be fully screened from public rights-of-way, parking areas, and adjacent properties. Screening may include fences, hedges, or plant material.
- (2) Screening:
  - a. Screening must be opaque and constructed of durable materials
  - b. Screening must be maintained in good condition and free of damage or deterioration.
  - c. Landscaping buffers may be required based on adjacent land uses.
    - 1. All outdoor storage areas must be clearly shown on site plans submitted for review.
    - 2. Plans must include screening details, setback compliance, and buffering provisions.
    - 3. Non-compliance may result in enforcement actions or revocation of permits.
- (3) *Exemptions:*
  - a. Property that is within the HI and LI-W zoning district and located outside of the Corridor Protection District are exempt from the use specific standards pertaining to this use.

- R. **Pawn Shop.** Pawn shops are involved with the retail sales of secondhand merchandise and offer personal loans secured by consumer goods or other personal property.
  - 1. **Accessory Uses:** Accessory uses may include limited retail sales.
  - 2. **Examples:** Pawn shops that may deal in items such as coins, jewelry, and secondhand merchandise and deal in personal loans secured by personal property.
- S. **Restaurant, Full Service.** Establishments that prepare and sell food for on-premises consumption or off premises consumption. Includes a customer service area consisting of tables, chairs, or customer counters.

1. **Accessory Uses:** Ancillary indoor storage, associated office, deck, patio for outdoor seating or dining and entertainment, parking valet parking facility, bar seating, and limited catering.
  2. **Examples:** Examples include sit down restaurants such as a diner, café or fine dining restaurants.
  3. **Uses Not Included:**
    - (1) Drive-throughs are classified in Restaurant, with drive-through.
- T. **Restaurant, Fast Casual.** Establishments that prepare and sell food for on-premises consumption or off premises consumption may include a drive-through. Includes a customer service area consisting of tables, chairs, or customer counters.
1. **Accessory Uses:** Ancillary indoor storage, associated office, deck, patio for outdoor seating.
  2. **Examples:** Examples include pizza delivery shops, takeout eating places, fast-food restaurants, takeout sandwich shops, limited-service restaurants.
- U. **Restaurant, w/ Drive Through.** Establishments that prepare and sell food for on-premises consumption or off premises consumption including a drive-through. Includes a customer service area consisting of tables, chairs, customer counters.
1. **Accessory Uses:** Ancillary indoor storage, associated office, deck, patio for outdoor seating.
  2. **Examples:** Examples include fast casual, fast food restaurants and any restaurant featuring a drive-through lane.
  3. **Use Specific Standards:**
    - (1) Menu boards shall be a maximum of 32 square feet.
    - (2) Drive-throughs shall comply with the standards of *Section B.2.6: Drive-Through Stacking Requirements*.
    - (3) Accessory structures such as canopies shall comply with building setback standards per the respective district standards.
    - (4) Crosswalks and crosswalk markings shall be required if pedestrians can cross the drive-through lane between the building and parking areas.

V. **Sexually Oriented Business.** As defined in *Section A.5: Definitions* this category includes nightclubs, bars, restaurants, or other similar establishments in which a person appears in a state of sexually explicit nudity or semi-nudity in the performance of their duties. Additionally, a business offering its patrons goods of which a substantial portion are sexually oriented materials. A business in which more than ten percent of the display space is used for sexually oriented materials is presumed to be a sexually oriented business. Refer to City Ordinance No. 2451 explaining the purpose, findings, and rationale used to develop specific standards for Sexually Oriented Businesses.

1. **Accessory Uses:** Accessory use may include an associated office.

2. **Use Specific Standards:**

(1) Buffer Distance:

a. *LI-W Zoning District:* At least 1,000 ft. from any dwelling, church or religious institution, public or private school and/or educational facility, public park or recreational facility, a residential zoning district (R-15, R-9, R-6, GR, RMF), or any other sexually oriented business.

b. *HI Zoning District:* At least 750 ft. from any dwelling, church or religious institution, public or private school and/or educational facility, public park or recreational facility, a residential zoning district (R-15, R-9, R-6, GR, RMF), or any other sexually oriented business.

(2) Measurement Method: measurement shall be made in a straight line in all directions without regard to intervening structures or objects, from the closest part of the structure containing the sexually oriented business to the closest point on a property boundary of any church or religious institution, public or private school and/or educational facility, public park or recreational facility, a residential district (R-15, R-9, R-6, GR, RMF), or any other sexually oriented business. Measurements shall be made in a straight line in all directions without regard to intervening structures or objects, from the closest part of the structure containing the sexually oriented

business to the closest part of the structure of a dwelling that is not in a residential zoning district (R-15, R-9, R-6, GR, RMF).

W. **Special Events Facility** A commercial facility rented to individuals, groups, and/or organizations, and used to host gatherings such as, but not limited to, weddings, receptions, meetings, galas, networking events, and conferences. Special Events Facilities cater to a significant diversity of individuals, groups, and organizations on a contractual basis, with such individuals, groups, and organizations holding unique events on an irregular basis only. Such individuals, groups, and organizations contracting to rent the facility may provide alcoholic beverages for guests in accordance with state law.

1. **Uses Not Included:**

(1) Bar/Tavern/Nightclub.

2. **Use Specific Standards:**

(1) *On-Site Manager*. An on-site manager shall be present and available for the duration of all events occurring at the facility. Updated contact information shall be provided to the Zoning Administrator anytime the on-site manager's contact information changes.

(2) *Parking*. All parking shall be contained on-site with 1 parking space for every 4 occupants, with maximum occupancy determined via applicable building or fire codes used to determine the maximum total number of occupants. An alternative parking plan pursuant to *Section C.2.5: Alternative Off-Street Parking Standards* may be submitted in lieu of this requirement.

(3) *Hours of Operation*. Special event facilities shall only operate between the hours of 6:00 am to 11:00 pm, not to include event set-up and clean-up activities. Except that events on new years eve may operate until 1:00 am.

(4) *Insurance*. Valid liability insurance covering special event facility operations is required for the Owner, Property Management Company, or any other entity.

- (5) *On Premise Sale/Consumption of Alcohol.* Disclosure of plans for on-premises sale and consumption of alcohol, including the responsible party(s) to be securing necessary SC Dept. of Revenue licensing and the type of licensing being sought.
- (6) *Compliance Inspections.* Inspections for compliance with the requirements of this section, for compliance with additional approval conditions placed on the property by the Sumter City-County Board of Zoning Appeals, and for compliance with any other applicable City Codes may be performed by the City if deemed necessary and with 24-hour notice to the business owner and/or property owner/property manager.
- (7) *Operational Plan.* An operation plan shall be submitted with the use application describing generally how the facility will operate. Substantive changes to the operational plan shall require additional Zoning Administrator approval. The operational plan shall include, at a minimum, the following items:
- a. Maximum capacity of the facility, based on building and fire code;
  - b. Contact information for the on-site facility manager;
  - c. Types of events anticipated/marketed;
  - d. Anticipated annual number of events;
  - e. How solid waste will be disposed of;
  - f. A floor plan of the facility showing the square footage and use of each room;
  - g. A plot plan showing building footprint, property lines, parking areas, delineated outdoor event space (if applicable). A formal site plan submission may be required by the Zoning Administrator; and
  - h. Vehicular access to the site shall be adequate in terms of width, vertical clearance, and construction to support emergency vehicles in accordance with applicable Fire Code, as determined by the Sumter City-County Fire Inspector.

- X. **Towing Services.** An establishment providing the service of transporting individual motor vehicles and providing temporary storage of the vehicles, whether operable or temporarily inoperable, in an impound yard or storage.
1. **Uses Not Included:**
    - (1) Junk or salvage yard.
  2. **Use Specific Standards:**
    - (1) The number of vehicles stored on-site shall be limited to 10 vehicles.
    - (2) Vehicles shall not be stored for more than 90 days.
    - (3) Vehicles shall be stored to the rear of the principal structure behind a wooden or vinyl fence or masonry wall that is at least 8 feet in height.
- Y. **Tobacco/Vape Shop.** An establishment that, as a substantial portion of the use, entails the retail sales of tobacco products including, but not limited to, CBD products, cigarettes, cigars, chewing tobacco, shisha, unformed or loose tobacco, vaping products, and/or similar products. For the purpose of this definition, a substantial portion of the use is established if:
1. **Use Specific Standards:**
    - (1) At least 20% of the establishment's floor area open and accessible to customers is used for the display and/or stocking of tobacco products as provided herein; or
    - (2) At least 40% of the sign area of the establishment's on-site signage that is visible from public rights-of-way advertises tobacco products as provided herein. However, no tobacco shop shall be located within a 500-foot radius of an existing or approved school or childcare facility. This measurement shall be made from the exterior wall of the proposed tobacco shop to the nearest exterior wall of any existing or approved school.
- Z. **Retail, Neighborhood (Maximum 5,000 sq. ft).** General retail sales and services establishments involved in the sale, lease or rent of new or used products and services intended to provide for residents of the immediate area. Neighborhood retail shall be a maximum 5,000 square feet for a single use.

1. **Accessory Uses:** Accessory uses may include offices, storage or repackaging of goods for on-site sale, and parking.
2. **Examples:** Establishments selling, leasing, or renting consumer, home, and business goods including general merchandise, art supplies, bicycles, clothing, dry goods, electronic equipment, furniture, garden supplies, groceries, hardware and home improvement goods, household products, jewelry, pet food, printed material, stationary, and similar retail consumer goods.

AA. **Retail, General (5,000 sq. ft. to 20,000 sq. ft.).** General retail sales and services establishments involved in the sale, lease or rent of new or used products and services intended to provide for residents of the immediate area. General retail shall be a maximum 20,000 square feet for a single use.

1. **Accessory Uses:** Accessory uses may include offices, storage or repackaging of goods for on-site sale, and parking.
2. **Examples:** Establishments selling, leasing, or renting consumer, home, and business goods including general merchandize, art supplies, bicycles, clothing, dry goods, electronic equipment, furniture, garden supplies, groceries, hardware and home improvement goods, household products, jewelry, pet food, printed material, stationary, and similar retail consumer goods.

BB. **Retail, General (20,000 sq. ft to 250,000 sq. ft.).** retail sales and services establishments, sometimes referred to as "Big Box" retailers, involved in the sale, lease or rent of new or used products and services intended to provide for residents of the regional area. Big Box retail shall permit a range of uses and sizes; however, no single use may exceed 250,000 square feet.

1. **Accessory Uses:** Accessory uses may include offices, storage or repackaging of goods for on-site sale, and parking.
2. **Examples:** Large retail stores, shopping malls, shopping centers.

**CC. Retail, General (more than 250,000 sq. ft).** retail sales and services establishments involved in the sale, lease or rent of new or used products and services intended to provide for residents of the regional area. These large-scale retail facilities shall permit a range of uses and sizes; however, no single use may exceed 250,000 square feet.

1. **Accessory Uses:** Accessory uses may include offices, storage or repackaging of goods for on-site sale, and parking.
2. **Examples:** Large retail stores, shopping malls, shopping centers.
3. **Use Specific Standards:**
  - (1) Retail uses over 250,000 sq. ft. shall be considered as Special Exceptions.

**DD. Wholesale Trade.** Firms involved in the sale or rent of products to industrial or commercial businesses only. Not intended for private customers. Uses emphasize on-site sales or order taking. Firm may or may not be open to the general public. Sales to private customers and general public are not permitted.

1. **Accessory Uses:** Accessory uses may include (but are not limited to) accessory medical clinic, ancillary indoor storage, associated office, cafeteria, day care for employee use, parking, repackaging of goods, showroom, warehouse, residential unit for security purposes.
2. **Examples:** Sale of machinery, janitorial supplies, restaurant equipment supplies.
3. **Use Specific Standards:**
  - (1) Outdoor storage yards shall comply with the standards of *Section B.9.4.Q: Outdoor Storage Yards*. Outdoor storage yards are not intended to include junkyards or scrap or salvage operations.

**EE. Automatic Merchandising Machine Operators, vending machines.** Any unattended self-service device that, upon payment made, dispenses anything of value including ice, food, beverage, goods, wares, merchandise, or services.

1. **Accessory Uses:** None.
2. **Use Specific Standards:** *(Note: Not applicable to indoor vending machines or vending machines located next to buildings in pedestrian walkways.*

- (1) *General Commercial (GC)*: In the GC district there shall be sufficient lot area to meet principal setbacks for the structure as required in *Section B.4.4*, in addition to the areas required for landscaping/buffering, parking, site access and drive aisles.
  - (2) *Light Industrial-Warehouse (LI-W)*: proposed development in the LI-W district shall comply with the full standards as outlined in *Section B.5.1: Light Industrial-Warehouse (LI-W)*.
  - (3) *Heavy Industrial (HI)*: proposed development in the HI district shall comply with the full standards as outlined in *Section B.5.2: Heavy Industrial (HI)*.
3. *Landscape/Buffering*: Landscaping shall be provided in accordance with *Table C.5.1: Landscaping Yard Determination*. For landscaping and buffering purposes this use is classified as "Commercial". All submitted plans shall meet the full requirements of *Section C.5: Landscaping, Buffer, and Tree Protection*.
  4. *Parking Access*: Site access shall be limited to one access driveway per street frontage. All parking areas shall be paved with concrete curb and gutter to meet the full development standards of *Section C.2: Parking*.
  5. *Sidewalks*: Sidewalks shall be installed along the street frontage of the development site where existing sidewalks are adjacent.
  6. *Exterior Appearance*: All rooftop mechanical equipment shall be screened on all four sides with an all-weather, durable material. Vending units located within the Corridor Protection District (CPD) shall be veneered with materials that comply with *Section B.11.5: Corridor Protection District*. Any stair units constructed to access the interior of the vending unit shall be painted to match the exterior of the unit.
  7. *Signage*:
    - (1) Wall signage shall be capped at 10% of the front wall area. The front wall is defined as the face of the vending unit from which merchandise is dispensed.
    - (2) *Freestanding Signage*. Stand-alone vending units are permitted 1 freestanding sign per street frontage and must comply with standards set

forth for the General Commercial (GC) district as outlined in *Section C.3 Signs*.



## 9.5 INDUSTRIAL AND MANUFACTURING USES

- A. **Artisan Food and Beverage Manufacturing.** A small-scale fabrication or production use by skilled workers which involves assembly of food or goods with no noxious by-products. May include a showroom or ancillary sales of products.
1. **Accessory Uses:** Accessory uses may include (but are not limited to) associated showroom, ancillary indoor storage, associated office, parking or similar; residential unit(s) for employees and or associated services (i.e., night watchman) may not exceed 1 dwelling unit per acre and shall only be allowed for employees or associated services and not rental to the general community.
  2. **Examples:** Small scale fabrication of arts, 3D printing, crafts, food or beverages for packaged sales, welding, sculpting, arts and crafts, pottery, and small-batch bakeries.
  3. **Use Specific Standards:**
    - (1) Manufacturing activities may be no larger than 20,000 sq. ft. GFA.
    - (2) Accessory retail and/or wholesale sales, training, and/or education, are allowed.
    - (3) All production activities must be located within a completely enclosed structure adequately constructed to limit emission of odor, noise or vibration detrimental to other uses or properties in the area.
    - (4) All storage shall be within an enclosed building, tank, or silo, or screened from view by fences, walls, or landscaping. Stored items shall not be stacked to a height that exceeds the height of the screening.
    - (5) Sales, service, product consumptions, and outdoor activities shall only occur between 6:00 a.m. and 10:00 p.m. if the establishment is adjacent to a residential use.
    - (6) Shipping and receiving activities shall only occur during operating hours between 6:00 a.m. and 10:00 p.m.

- B. **Breweries.** Any establishment where malt liquors are manufactured and packaged on-premise, manufacturing more than 15,000 barrels of malt liquor on its licensed premise each calendar year.
1. **Accessory Uses:** Ancillary indoor storage, associated office, deck/patio for outdoor seating and/or entertainment, beer garden, parking, valet parking facility, tasting room.
  2. **Use Specific Standards:**
    - (1) Outdoor entertainment is limited to 10:00 PM.
- C. **Breweries, Micro.** Any establishment where malt liquors are manufactured and packaged on-premises or off-premises, manufacturing no more than 15,000 barrels of malt liquor on its licensed premise each calendar year.
1. **Accessory Uses:** Ancillary indoor storage, associated office, deck/patio for outdoor seating and/or entertainment, beer garden, parking, valet parking facility, tasting room.
  2. **Use Specific Standards:**
    - (1) Outdoor entertainment is limited to 10:00 PM in all zoning districts other than the DTC.
- D. **Distillery.** A manufacturer who distills, blends, and bottles alcoholic liquors on the licensed premises with an alcohol content greater than seventeen percent and who produces more than 125,000 cases per year at the licensed premises.
1. **Accessory Uses:** Ancillary indoor storage, associated office, deck/patio for outdoor seating and/or entertainment, parking, valet parking facility, tasting room.
  2. **Use Specific Standards:**
    - (1) Outdoor entertainment is limited to 10:00 PM in the GC and DTC zoning districts.
- E. **Distillery, Micro.** A manufacturer who distills, blends, and bottles alcoholic liquors on the licensed premises with an alcohol content greater than 17% and who

produces a maximum, quantity of 125,000 cases per year at the licensed premises.

1. **Accessory Uses:** Ancillary indoor storage, associated office, deck/patio for outdoor seating and/or entertainment, parking, valet parking facility, tasting room.
2. **Use Specific Standards:**
  - (1) No noxious odors or noise may escape the parcel on which the use is situated;
  - (2) A tasting room is provided;
  - (3) No "cover" or similar admission charge is collected for entrance; and
  - (4) No music is permitted in outdoor seating and bar areas after 10:00 PM.

F. **Flex Facility.** Uses which take place within a building, allowing for a mixture and/or range of office, warehouse uses research and development uses. Flex use buildings allow for a combination of offices, wholesale, and light manufacturing with proportions of each use subject to the needs of a user.

1. **Accessory Uses:** Accessory uses may include (but are not limited to) associated showroom, ancillary indoor storage, associated office, cafeteria, parking, on-site repair facility, residential unit for security purposes, outdoor storage associated with principal use.
2. **Examples:** Flex use buildings typically in an industrial park or business park environment.

G. **Industrial – Light.** Any business or establishment which deals in light industrial uses including light manufacturing (such as assembly, printing, repair), research and development, and self-service storage.

1. **Accessory Uses:** Accessory uses may include (but are not limited to) associated showroom, ancillary indoor storage, associated office, cafeteria, parking, on-site repair facility, residential unit for security purposes, outdoor storage associated with principal use.
2. **Examples:** Monument sales and manufacturing, landscaping contractor, clothing manufacturing, publishing firm, bottling, lawn or tree service, sheet

metal, stone, or concrete products (but not concrete manufacturing), commercial packing for fruits and vegetables, trailer storage or freight facility, sale or rental of machinery and heavy equipment.

3. **Exemptions:** Heavy industrial or noxious uses such as concrete manufacturing.

4. **Use Specific Standards:**

(1) Storage shall be in an enclosed building or an outdoor storage area which is screened/fenced. A minimum 6 feet tall opaque screen or fence is required around the outdoor storage area.

H. **Industrial – Heavy.** Any business or establishment that involves dangerous, noxious, offensive uses. Uses may involve smoke, odor, noise, vibration, or threats to safety and general wellbeing of the public.

1. **Accessory Uses:** Accessory uses may include (but are not limited to) associated showroom, ancillary indoor storage, associated office, cafeteria, parking, on-site repair facility, residential unit for security purposes, outdoor storage associated with principal use.

2. **Examples:** *Salvage yards, junkyards, automobile graveyards, crematorium, slaughterhouse, concrete plant, outdoor storage as a primary use, commercial feed lot, lumberyard, primary metal manufacturing, towing yard for vehicles, pulp mill, rubber manufacturing, paper manufacturing or production.*

3. **Use Specific Standards:**

(1) Outdoor storage yards shall not be located closer than 25 feet to any public street or property line. Outdoor storage yards shall be completely enclosed by an opaque fence or wall not less than 8 feet. Outdoor storage yards are not intended to include junkyards or scrap or salvage operations.

I. **Manufacturing.** Manufacturing includes use types involved in the manufacturing, processing, fabrication, packing, or assembly of goods. Products may be finished or semi-finished and are generally made for the whole sale market, made for transfer to the other plants, or made to order for firms or consumers.

1. **Accessory Uses:** May include limited retail sales and wholesale sales, offices, cafeterias/eating establishments, warehouses, storage area, repair facilities, truck fleets, parking for employees.

J. **Sanitary Land Fills and Inert Dump Site.** A site designed and intended as a repository for material whose rate of decomposition by micro-organisms or chemical oxidation is such that environmental pollution does not result.

1. **Use Specific Standards:**

- (1) No such uses shall be located within 1,000 feet (measured in a straight line) of any existing residential, religious, educational, medical, or public use.
- (2) An engineering firm with specific land fill expertise shall render a written opinion that, to the best of their professional judgement, the rock formations and/or artificial liners being used to contain the waste are impermeable and that the surrounding ground water sources will not be contaminated. A permit from the South Carolina Department of Environmental Services (DES) shall accompany use request.
- (3) A drainage and sedimentation plan shall accompany the use request, detailing how run-off will be addressed.
- (4) All uses within this category shall be screened in such a fashion as not to be visible from off-site. Screening may be accomplished by any combination of fencing, walls, berms, or landscaping approved by the BZA upon the recommendation of the Zoning Administrator.
- (5) No material shall be placed in open storage or areas in such a manner that it is capable of being transported by wind, water, or other causes.

K. **Hazardous Waste and Nuclear Waste Transfer, Storage, and Treatment and/or Disposal Sites.** Any facility which deals in the transfer, storage, treatment, or disposal of hazardous or nuclear waste.

1. **Use Specific Standards:**

- (1) No such uses shall be located within 1,000 feet (measured in a straight line) to any existing residential, recreational, religious, educational or

public use; no closer than 1,500 feet to any navigable stream (measured in a straight line); no closer than 2,500 feet to any lake, pond or reservoir used or scheduled to be used as a direct or connecting source of public drinking water, and disallowed in any water source, wetland, or floodplain areas.

- (2) The facility shall be effectively buffered and screened in accordance with an approved method sanctioned by the BZA upon the recommendation of the Zoning Administrator.
- (3) The use request shall be accompanied by an environmental impact statement, prepared by an engineering firm with specific expertise in environmental safety and environmental quality issues and approved by the South Carolina Department of Environmental Services (DES).
- (4) The use requests shall include written documentation disclosing the hazardous waste materials to be handled and the approximate quantity to be accommodated over the life of the facility.

**L. Resource Recovery Facilities, Solid Waste Storage/Transfer Facilities, Waste Tire Storage/Treatment Sites, Composting Facilities, Manned Convenience Centers, and Incinerators.**

**1. Use Specific Standards:**

- (1) No such uses shall be located within 1,000 feet (measured in a straight line) to a residential district, church, school, historical place, or public park, except manned convenience centers which shall not be located within 100 feet (measured in a straight line) to a residential district, church, school, historical place, or public park.
- (2) No such uses shall be located within 400 feet (measured in a straight line) to a residential use not in a residential district, except manned convenience centers which shall not be located within 100 feet (measured in a straight line) to a residential use not in a residential district.

- (3) Manned convenience centers shall have gravel or paved surfaces in all driving, parking and loading areas, and must be located on and have direct access from an arterial or collector road.
- (4) Manned convenience centers must be entirely enclosed within an 8 foot high security fence.
- (5) All uses within this category shall be screened in such a fashion as not to be visible from off-site. Screening may be accomplished by any combination of fencing, walls, berms, or landscaping approved by the BZA upon the recommendation of the Zoning Administrator.
- (6) No material shall be placed in open storage or areas in such a manner that it is capable of being transported by wind, water, or other causes.

M. **Salvage Yards.** Any use dedicated to the storage and dismantling of vehicles, scrap metal and associated waste.

- 1. **Accessory Uses:** Accessory uses may include (but are not limited to) associated office, cafeteria, parking.
- 2. **Use Specific Standards:**
  - (1) All buildings shall be setback a minimum of 50 feet from property line
  - (2) Outdoor storage yards shall not be located closer than 25 feet to any public street or property line.
  - (3) Outdoor storage yard, automobile crushing/shedding areas, and automobile fluid drainage/storage areas shall not be located closer than 500 ft. to a residential use, church, public/private school, historic structure/site/district listed on the National Register of Historic Places, or a locally designated historic structure/site/district.
  - (4) Automobile crushing and/or shedding shall occur between the hours of 8:00 am to 6:00 pm only.
  - (5) Stacking automobiles on top of one another for any purpose is not permitted.
  - (6) Outdoor storage yards shall be completely enclosed by an opaque fence, wall, or berm not less than 6 feet.

- (7) No material, refuse or items within storage yard shall be visible from a public street.
- (8) No material because it is discarded and incapable of being re-used in some form shall be placed in open storage.
- (9) No material shall be placed in open storage in such a manner that it is capable of being transported by wind, water, or other causes.

N. **Self-Storage.** A structure or premises where the principal use is the indoor storage of personally owned items and goods, for a fee or charge.

1. **Examples:** Includes self-storage facilities.

2. **Use Specific Standards:**

- (1) Self-storage facilities shall be located on a maximum lot size of 4 acres in commercial districts. Facilities may exceed 4 acres in industrial zoning districts outside of the Corridor Protection District..
- (2) Building height shall be limited to 2 stories when adjacent to residential zoning districts.
- (3) Commercial activity which offers the sale of any item, personal property, or service and/or the conducting of any business other than the leasing of storage units is prohibited. The sale of customary equipment for moving and loading/unloading of supplies such as tape, straps, boxes, and similar items may be permitted in the main office only.
- (4) Residential use (i.e. dwelling) within storage units is prohibited.
- (5) Outdoor storage is prohibited (other than the storage of recreational vehicles and boats).
- (6) Required parking spaces shall not be utilized for the storage of recreational vehicles.

O. **Data Center (10,000 sf of total building area or less).** A commercial operation (not exceeding 10,000 sf of total building area) designed to house and operate computer servers, data storage equipment, and associated networking and telecommunications systems, together with supporting infrastructure necessary for their continuous operation. Supporting infrastructure may include electrical

service and distribution equipment, backup power supplies (such as batteries or emergency generators), cooling systems, fire suppression, and security systems.

**1. Examples:**

- (1) *Enterprise Data Centers* – Facilities operated by individual businesses and used to solely support that company's data and technology needs, including crypto mining.
- (2) *Managed Data Centers* – Third party service facilities that manage another company's computer hardware, data, and infrastructure.
- (3) *Colocation Data Centers* – Facilities typically owned by third parties where hardware is run and managed by a cloud based company.
- (4) *Edge Data Centers* – Smaller facilities located close to the populations they serve to increase data processing speed and decrease transmission delays. Such facilities typically deliver cloud computing resources and cached content to end users and typically connect to a larger central data center or multiple data centers.

**2. Use Specific Standards:**

(1) *Maximum Noise Levels:*

- a. Through the utilization of noise dampening features or configuration methods, a data center shall be engineered to maintain a maximum threshold of 60 dBA or less at all times, as measured at the lot line.
- b. The Zoning Administrator may require a noise study prepared by an independent third party acoustical engineer at the applicant's expense at any time to demonstrate compliance with the maximum noise threshold. Post construction failure to meet the maximum noise threshold is a violation of this Ordinance and may result in permit revocation, stop work order issuance, or any other remedy available pursuant to *Section A.4 Enforcement*.

- (2) *Electrical Utility Usage:* In cases where a data center utilizes electricity in any amount from a public or private electricity provider, including for uses and/or activities incidental to the data center itself, the following standards apply:

- a. The data center applicant shall provide written verification signed by the applicable electricity provider stating the following:
    1. Adequate capacity is available on existing supply lines and substations(s) to ensure there is or will be adequate electrical capacity available to serve the proposed use at peak operational levels while also serving the needs of other electricity users in the service area.
    2. Existing utility supply equipment and related infrastructure are sufficiently sized and can safely accommodate the proposed use.
    3. The use will not cause electrical interference or fluctuations in line voltage on or off the premises.
  - b. All data center operations served by a public or private electrical service provider shall furnish an updated attestation of electrical capacity from the public or private electricity provider addressing all items from *Section B.9.5.O.2.2.a* to the City of Sumter by January 31 of each year.
- (3) *Water Utility Usage*: Data centers shall meet the following water utility usage standards:
- a. Data centers must be served by public or private water utility providers and shall not be served by a private ground water well or surface water intake facility built specifically to serve the project.
  - b. The data center applicant shall provide written verification signed by the public or private water utility provider stating the following:
    1. Adequate capacity is available from existing water sources to ensure there is adequate water capacity available to serve the proposed use at peak operational levels while also serving the needs of other users in the service area.
    2. Existing water supply equipment and related infrastructure are sufficiently sized and can safely accommodate the proposed use.

3. The use will not cause a loss in water pressure necessary to maintain functional fire protection and general service needs of the service area.

c. All data center operations served by a public or private water utility provider shall furnish an updated attestation of water utility capacity from the public or private water service provider addressing all items from *Section B.9.5.O.2.3.b* to the City of Sumter by January 31 of each year.

(4) *Power Generation Devices*: On-site power generation devices, whether permanent or temporary, shall comply with the following standards:

- a. Such devices, including fuel storage areas, shall be fully enclosed within a building or by a masonry wall of a minimum height exceeding the height of the tallest portion of the device. Walls enclosing power generation devices shall be considered part of the principal structure and subject to principal structure zoning district setback requirements. Such walls shall not be subject to maximum height requirements for walls/fences in *Section C.6: Fencing Berms, and Walls*.
- b. Such devices, including associated fuel storage, shall comply with all applicable fire codes.
- c. Such devices shall secure all required state and federal permits prior to operation.

P. **Data Center (More than 10,000 sf of total building area)**. A commercial operation (exceeding 10,000 sf of total building area) designed to house and operate computer servers, data storage equipment, and associated networking and telecommunications systems, together with supporting infrastructure necessary for their continuous operation. Supporting infrastructure may include electrical service and distribution equipment, backup power supplies (such as batteries or emergency generators), cooling systems, fire suppression, and security systems.

1. **Examples:**

- (1) Enterprise data centers, managed data centers, colocation data centers, and edge data centers as described in *Section B.9.5.O.1*.
- (2) Hyperscale Data Centers – Large facilities that house critical computing and network infrastructure that provides scalability and high-speed processing for large volumes of data. Such centers may need large acreage tracts and millions of square feet of building space.

**2. Use Specific Standards:**

(1) Maximum Noise Levels:

- a. Through the utilization of noise dampening features or configuration methods, a data center shall be engineered to maintain a maximum threshold of 60 dBA or less at all times, as measured at the lot line.
- b. A pre and post construction noise study prepared by an independent third-party acoustical engineer at the applicant's expense is required. A post construction noise study shall be submitted within 90 days of certificate of occupancy/completion of data center. Post construction failure to meet the maximum noise threshold is a violation this Ordinance and may result in permit revocation, stop work order issuance, or any other remedy available pursuant to *Section A.4 Enforcement*.

(2) Required Setbacks:

- a. Except for off-street parking spaces, vehicular accessways, and underground utilities, all structures and development associated with a data center shall maintain a minimum setback of 100 ft. from any lot line.
- b. Principal structures associated with a data center (including generators) shall be located no less than 500 linear feet from any lot line shared with a residential zoning district or an approved residential dwelling unit.
- c. Principal structures associated with a data center (including generators) shall be located no less than 1,000 linear feet (structure to structure) of an existing or approved public or private school.

(3) *Electrical Utility Usage:*

- a. Shall meet the standards in *Section B.9.5.O.2.2.*

(4) *Water Utility Usage:*

- a. Shall meet the standards in *Section B.9.5.O.2.3.*

(5) *Power Generation Devices:*

- a. Shall meet the standards in *Section B.9.5.O.2.3.*

Q. **Solar Farms.** An area of land designated for the purpose of deploying solar power generating panels and devices to create electric energy.

1. **Accessory Uses:** Associated office, parking, outdoor storage of related equipment.

2. **Uses Not Included:**

- (1) Solar energy systems for private residential dwelling unit use or commercial rooftop installation are permitted as an accessory use.

3. **Use Specific Standards:**

- (1) A minimum setback of 50 ft. from all property lines.
- (2) A minimum 50 ft. wide landscape buffer containing evergreen vegetation screening is required to obscure solar energy systems from public rights of way and residential uses on adjacent parcels.
- (3) Any portion of the solar farm or array shall not exceed 15 feet in height.

R. **Warehouse/Distribution.** A facility primarily engaged in the storage and distribution of manufactured products, supplies, and equipment with little to no sales on site. May also include truck terminals or similar where semi-trucks, trailers and or high-cube/box trucks may be utilized for the transportation of goods; may also include areas for truck, trailer, etc., parking and storage.

- 1. **Accessory Uses:** Accessory uses may include (but are not limited to) associated showroom, ancillary indoor storage, associated office, cafeteria, parking, on-site repair facility, residential unit for security purposes, outdoor storage associated with principal use.

2. **Examples:** Warehousing, distribution centers, truck terminals, fulfillment centers for online retailers, fulfillment centers are intended to provide deliveries to homes.
  3. **Use Specific Standards:**
    - (1) The parking and storage of commercial class trucks and the location of loading docks must be located to the rear or side of the facility;
    - (2) Landscape requirements outlined in *Section C.5: Landscaping, Buffer, and Tree Protection Requirements*.
    - (3) Facilities must have direct access to an arterial or collector roadway. Access for commercial class trucks via local roads is prohibited.
- S. **Mining and Extraction Operations.** Facilities dedicated to the mining or extracting of materials, minerals, fossil fuels from the earth.
1. **Examples:** Sand mines, gold mines, coal mines, oil/gas extraction.
  2. **Use Specific Standards:**
    - (1) Zoning use approval request shall be accompanied by a reclamation and reuse plan once mining or extraction operations are completed.
    - (2) Zoning use approval request shall be accompanied by proposed operating hours. Specific times for use of explosive shall be detailed.
    - (3) Mining and extraction operations shall not be located within 300 ft. of any residential use (measured from property line to residential structure), unless explosives are used for operations.
    - (4) Mining and extraction operations that use explosives shall not be located within 2,500 ft. of any residential use (measured from property line to residential structure). The BZA may grant reductions to this distances upon submission of detailed plan outlining measures to mitigate external impacts.
    - (5) Access to a mining or extraction site shall be from a paved road meeting the criteria of a collector or arterial road.
    - (6) Mining and extraction uses that are non-conforming but which were previously permitted by agencies of the State of South Carolina prior to

the enactment of this Ordinance, or mining and extraction activities, or business on such a parcel or contiguous parcel where the mineral or the surface rights which are under the same ownership or control on the effective date of the Ordinance shall be exempt from the requirements of this section.

## 9.6 PERSONAL SERVICES USES

- A. **Bank/Financial Institution.** Banks and financial institutions characterized by activities conducted in an office setting and generally focusing on personal or financial services. Drive-throughs are permitted.
1. **Accessory Uses:** Accessory uses may include parking for use of employees and customers.
  2. **Examples:** Bank, financial institution, credit unions, and similar financial establishments.
  3. **Use Specific Standards:**
    - (1) Crosswalks and crosswalk markings shall be required if pedestrians can cross the drive-through lane between the building and parking areas.
- B. **Carwash.** Commercial establishments which allow for the washing of motor vehicles and vehicle cleaning services.
1. **Accessory Uses:** Accessory uses may include parking, retail sales of items associated with the cleaning of motor vehicles.
  2. **Examples:** Full-service carwash, self-service carwash facilities
  3. **Use Specific Standards:**
    - (1) All washing, and machine powered drying shall be in an enclosed building.
    - (2) No vehicle bays or openings shall face a residential use.
- C. **In-Home Day Care.** An establishment dedicated to the care of 5 or fewer adults or children in a protected, supervisory setting in a residential dwelling. In-Home

Day Care facilities are not Group Living facilities. May require additional state permits.

1. **Accessory Uses:** Accessory uses may include ancillary indoor storage, outdoor play areas, associated office, parking,
2. **Use Specific Standards:**
  - (1) Includes In-Home Daycare as a Home Occupation, subject to the following:
    - a. Care provision shall not include overnight accommodation; and
    - b. Must be primary dwelling of business operator.
  - (2) Outdoor recreation areas or playgrounds shall be fenced with a minimum six (6) foot fence.

D. **Daycare (Adult or Child).** A commercial establishment dedicated to the care of adults or children in a protected, supervisory setting. Daycare facilities are not Group Living Facilities. May require additional state permits

1. **Accessory Uses:** Accessory uses may include ancillary indoor storage, outdoor play areas, associated office, parking, cafeteria.
2. **Use Specific Standards:**
  - (1) Areas dedicated for drop off and pick up must be included for any site plan or permit request for a day care.
  - (2) Outdoor recreation areas or playgrounds shall be fenced with a minimum six (6) foot fence.

E. **Dry Cleaning/Laundromat.** Establishment dedicated to onsite cleaning of clothes, offering the renting of on-site equipment for the cleaning, and washing of laundry to individual customers or pick-up dry-cleaning services. These establishments are intended to offer personal services to individual customers and not wholesale dry cleaning.

1. **Accessory Uses:** Accessory uses may include ancillary indoor storage, associated office, parking.

F. **Spa, Day.** An establishment that provides wellness and beauty treatments.

1. **Use Specific Standards:**

- (1) All employees performing services to customers shall be a licensed professional with the state.
- (2) All employees' licenses shall be displayed in the establishment or provided on request.

G. **Tattoo Parlors.** Any establishment that practices the inserting of permanent markings of coloration, or the producing of scars, upon or under human skin through puncturing by use of a needle or any other method. Micro-blading and temporary tattoos are not considered to constitute as a tattoo parlor.

1. **Use Specific Standards:**

- (1) A Tattoo Parlor cannot be operated within 500 feet of:
  - a. A religious institution.
  - b. Public or private elementary or secondary school.
  - c. Public playground.
  - d. All residential structures except multi-family apartments.

H. **Personal Services.** Establishments that cater to personal services for a community. May also provide personal services or entertainment or provide product repair or services for consumer and business goods.

1. **Accessory Uses:** Accessory uses may include offices, storage or repackaging of goods for on-site sale, and parking.
2. **Examples:** Examples include barbers, hair salons, nail salons, tanning facilities, day spa, personal care services, animal grooming, product repair or services for consumer and business goods (i.e. computer repair shop, watch repair).

I. **Bail Bonding.** A state licensed professional or company that provides bail bonding services.

1. **Use Specific Standards:**

- (1) Bail bonding uses must be licensed by SC Department of Insurance.

## 9.7 MEDICAL AND OFFICE USES

- A. **Animal Care.** A facility where animals are provided medical care. Animals may be boarded or stay overnight within a completely enclosed building.
1. **Accessory Uses:** Accessory uses may include parking, limited retail sales of animal goods, limited sale of medicine and prescriptions for animal use, associated office, ancillary indoor storage.
  2. **Examples:** Vet clinic, private veterinarian practice, animal hospital.
  3. **Use Specific Standards:**
    - (1) Sheltering and boarding of animals shall be clearly incidental to the veterinary services offered in the facility whether specializing in large or small animals.
    - (2) All outdoor areas for animals must be fenced.
    - (3) Outdoor activity is permitted only during the day.
- B. **Residential Care:** A facility that provides primarily nonmedical resident services to individuals in need of personal assistance essential to sustaining the activities of daily living, or for the protection of the individual, on a 24-hour-a-day basis.
- C. **Nursing Home:** A use providing bed care and inpatient services for persons requiring regular medical attention but excluding a facility providing surgical or emergency medical services and excluding a facility providing care for alcoholism, drug addiction, mental health disorders, or communicable disease.
- D. **Hospital.** An establishment which primarily engages in providing medical treatment, including (but not limited to) diagnostic services, surgical services, as well as continuous nursing services.
1. **Accessory Uses:** Accessory uses may include cafeterias, day care facilities, health facilities, parking, pharmacy, other amenities primarily for the use of employees.
  2. **Examples:** Examples may include a hospital or freestanding emergency room with ambulatory care.

- E. **Medical/Dental Facility.** A facility engaged in the examination, diagnosis, and treatment of medical, dental, psychiatric, chiropractic, ophthalmologic, pediatric care, or other health care practices.
1. **Accessory Uses:** Accessory uses may include parking and office.
  2. **Examples:** Examples include dentist or orthodontics offices, doctor offices, medical clinics, medical labs, mental health counseling offices, and dental surgery centers.
  3. **Uses Not Included:**
    - (1) Overnight facilities for patients.
  4. **Use Specific Standards:**
    - (1) Indoor waiting area is required so that patients are not allowed to queue for services outdoors.
- F. **Professional Office.** A building, or portion of a building, wherein activities are performed involving predominately administrative, record keeping, professional, and/or clerical operations and, where in the case of professions such as dentists, physicians, lawyers or engineers, the facility where such professional services are rendered.
1. **Accessory Uses:** Accessory uses may include cafeterias, day care facilities, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.
  2. **Examples:** Examples include professional services such as lawyers, accountants, engineers, architects, real estate agents, travel agencies, employment agencies, data processing, sales offices, and similar uses.
  3. **Uses Not Included:**
    - (1) Offices that are part of and/or located with a firm in another category are considered accessory to the firm's principal activity.
    - (2) Contractors and others who perform services off-site are included in the office category if equipment and materials are not stored on the site and fabrication, services, or similar work is not carried on at the site.

- G. **Rehabilitative and Mental Health In-Patient Facility.** A healthcare facility that provides substance abuse treatment and/or mental health services. Such facilities provide overnight, yet short-term, care and treatment and may include sleeping rooms for healthcare providers and members of the patients' families.
1. **Accessory Uses:** Accessory uses commonly found are recreational activities, cafeteria, café, dining hall, hobbies, parking of the occupants' vehicles, facilities for staff.
  2. **Examples:** Examples includes inpatient drug and alcohol treatment facilities and inpatient mental health services.
- H. **Urgent Care.** A walk-in medical establishment offering care for injuries or illnesses requiring immediate outpatient care.
1. **Accessory Uses:** Accessory uses may include cafeterias, day care facilities, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.
  2. **Examples:** Examples include urgent care facilities without ambulatory care. If ambulatory care is included, the use will be considered a hospital use.

## 9.8 RECREATIONAL/OPEN SPACE & ENTERTAINMENT USES

- A. **Sports Fields.** A designated outdoor area specifically designed and maintained for the purpose of playing sports such as soccer, baseball, softball, football, rugby, or similar athletic activities.
- B. **Amusement/Theme Parks.** An outdoor facility designed for entertainment purposes which may include structures or buildings, motorized or non-motorized rides, games, and booths for the conduct of sporting events or games.
1. **Accessory Uses:** Accessory uses may include office, retail and other commercial uses commonly established in such facilities and related parking facilities.
- C. **Golf Courses.** Parks are uses of land for playing golf, improved with trees, greens, fairways, hazards, and other similar improvements.
1. **Accessory Uses:** Accessory uses may include a driving range and lodging.
- D. **Driving Range.** An area, whether public or private, designed for practicing golf techniques, specifically for driving golf balls from a central tee location.
1. **Uses Not Included:**
    - (1) Miniature golf courses and full golf courses.
  2. **Use Specific Standards:**
    - (1) The depth of a driving range along the driving axis shall be not less than 350 yards measured from the location of the tees and the breadth not less than 200 yards at a distance of 350 yards from the tees. The depth of the driving range may be reduced to 300 yards if a fence designed to stop rolling balls is installed at the far end of the driving axis.
    - (2) Any lighting shall be oriented away from adjacent residential properties.
- E. **Motor Vehicle Race or Testing Track.** *A facility consisting of a paved or unpaved roadway used primarily for automobile racing or testing. Such a facility may include seating, concession area, suites, and parking facilities.*

1. **Use Specific Standards:**

- (1) No such use shall be located within 1,500 feet of any residential use (measured in a straight line).
- (2) Use shall have direct access off a paved road that is functionally classified as a arterial or collector road.

F. **Outdoor Concert Venues.** Use of open-air venues for hosting musical performances or concerts.

1. **Examples:** Examples include stadiums, amphitheaters, and parks designed for hosting musical performances in open-air setting

2. **Use Specific Standards:**

- (1) Performance hours: Sun–Thu end by 10:00 p.m.; Fri–Sat end by 11:00 p.m.
- (2) Off-premise sales prohibited. On-premise consumption must meet state licensing and venue security requirements.
- (3) Stage and speaker arrays oriented away from residential uses; berms or acoustic barriers required where feasible.
- (4) A Sound Plan shall be required and prepared by a qualified audio professional; identifies system specs, array orientation, limiters, monitoring locations, and complaint response.

G. **Parks, Public.** Parks are uses of land which allow for recreation for the general public or land intended to provide opportunities for the enjoyment, conservation or preservation of natural features and resources.

1. **Accessory Uses:** Accessory uses may include maintenance facilities, concessions, caretaker's quarters, and parking.
2. **Examples:** Examples include parks, preservation areas, playgrounds, and recreational trails.

H. **RV Parks/Campground Facilities.** RV Parks/Campground Facilities are uses of land for locating trailer, tent, tent trailer, recreational vehicle, pickup camper, van or other similar device used for camping.

1. **Examples:** Examples include campgrounds, trailer parks, and camps.

2. **Accessory Structures:** Management headquarters, recreational facilities, toilets, dumping stations, showers, coin operated laundry facilities, recreational vehicle and boat storage areas, stores, restaurants, and personal services.
- I. **Shooting Ranges (Indoor Only).** Facilities that are designed and operated for the indoor use of rifles, shotguns, pistols, or any other weapons including firearms, air guns, and airsoft guns.
    1. **Use Specific Standards:**
      - (1) All shooting activities must be indoor only.
      - (2) Must be located in stand-alone building, cannot be in planned center, strip developments, share walls or parking.
      - (3) All indoor shooting ranges shall be of soundproof construction whereby sound from discharge of any firearm and the impact of projectile shall not be plainly audible across any adjoining property line.
      - (4) Sale and consumption of alcoholic beverages on-site is prohibited.
      - (5) Any structure intended for use as an indoor shooting range shall meet all building code and construction standards for and indoor shooting range.
  - J. **Botanical Garden.** Land where trees, shrubs, and/or other living plants are grown, exhibited or labeled for scientific, education, conservation, or passive, recreational purposes, not including the harvest of plants or their produce.
  - K. **Zoo.** A facility, indoor or outdoor, where animals are kept for viewing by the public.
    1. **Accessory Uses:** Accessory uses may include office, retail, and other commercial uses commonly established in such facilities and related parking structures.
  - L. **Bingo Parlor:** A facility used primarily for the conduct of bingo games, open to the public and not in a subsidiary nature to another use.
    1. **Use Specific Standards:**

(1) This use shall not be within 150 ft. (measured in a straight line from structure to structure) of a church, school or public playground that is on a separately platted parcel under different ownership.

M. **Pool Hall:** A business establishment where the principal use is that of a billiard facility. Typically, such establishments have 2 or more billiard tables.

1. *Uses Not Included:* Drinking place, bar, tavern.

2. **Use Specific Standards:**

(1) This use shall not be within 150 ft. (measured in a straight line from structure to structure) of a church, school or public playground that is on a separately platted parcel under different ownership.

N. **Fair Ground:** An area wherein buildings, structures, and land are used for agricultural related offices, animal shows and judging, carnivals, circuses, community meetings, food booths and stands, rodeos, and similar uses associated with public festivals.

## 9.9 UTILITIES AND OTHER USES

A. **Airport.** A place where aircraft may take off or land, discharge or receive cargo or passengers, be repaired or serviced, take on fuel, or be stored. The place shall include landing areas, runways, and other facilities designed, used, or intended to be used for the landing or taking off of aircraft, including all necessary taxiways, aircraft storage and tie-down areas, hangars, and other necessary buildings and open spaces, as well as terminals, parking facilities, and passenger loading and unloading areas.

1. **Accessory Uses:** Accessory uses include offices, eating establishments, eating and drinking establishments, convenience stores, and similar uses.

B. **Wireless Communication Tower.** Any tower, pole or similar structure of any size that supports wireless communication antenna for commercial or governmental use.

1. **Use Specific Standards:**

(1) Districts in which communication towers and antennas are conditionally permitted with specified height limitations:

a. Residential Districts: All towers require special exception approval regardless of height.

b. Commercial Districts: Free-standing or guyed tower with maximum height of 180 ft. Towers with height exceeding 180 feet require Special Exception.

c. Mixed Use:

(a) Towers in the DTC and DTT Districts are strongly discouraged, and require special exception use approval. Towers located in these districts may be subject to more stringent landscaping and fencing standards as required by the Board of Zoning Appeals and/or Design Review Board.

(b) Towers in the IG and PD Districts are conditional with height not to exceed 120 ft. Towers with height exceeding 120 ft. require Special Exception.

- d. Industrial Districts: Free-standing or guyed tower with maximum height of 200 ft. Towers with height exceeding 200 ft. require special exception.
  - e. Special Purpose Districts:
    - (a) Free-standing or guyed tower in the AC District with maximum height of 200 ft. Towers with height exceeding 200 ft. require special exception.
2. **Permitted Height Above Structures in All Districts:** Tower and/or antenna mounted on buildings, water tanks, or structures other than a free-standing or guyed communications tower must not exceed more than 30 ft. above the highest part of a structure.
  3. **Application Requirements:** The applicant for a permit for construction of a communications tower or the placement of a communications antenna on an existing structure other than a tower previously permitted must file an application with the Zoning Administrator:
    - (1) Specifications: typical specifications for the proposed structure and/or antenna, including description of design characteristics and materials;
    - (2) Site Plan: Scaled drawing showing property boundaries, tower location, tower height, guide wires and anchors, existing structures, elevation drawings depicting typical design of proposed structures, parking, fences, landscape plan, and existing land uses on adjacent property;
    - (3) Tower Location Map: A current map, or updated existing map showing the location of the applicant's antenna, facilities, existing towers, and proposed towers which are reflected in the public records serving any property within the City of Sumter;
    - (4) Antenna Capacity – Wind Load: A report from a structural engineer registered in South Carolina showing the tower antenna capacity by type and number and a certification that the tower is designed to withstand wind in accordance with ANSI/EIA/TIA 222 (latest revision) standards;
    - (5) Antenna Owners: Identification of the owners of all antennae and equipment to be located on site;

- (6) FCC License: Confirmation that an FCC license for the proposed activity has been issued;
  - (7) Visual Impact Analysis: A line of site analysis showing visual impacts on adjacent residential districts;
  - (8) Removal Agreement: A written agreement to remove the tower and/or antenna within 180 days following cessation of use;
4. **Conditions:** Applicant must show that all of the following conditions are met:
- (1) Location and Visual Impact: The proposed tower, antenna or accessory structure will be placed on site in such a manner that it will minimize the visual impact on the surrounding properties;
  - (2) Inability to locate on existing structures: The applicant must show that a proposed antenna and equipment cannot be accommodated and function as required by applicable regulations and the applicants' technical design requirements without unreasonable modifications on any existing structure or tower under control of applicant, or to locate on an available and suitable nearby tower at reasonable costs (i.e., at or below local area rent average);
  - (3) Distance from existing tower: Applicant must certify that no existing tower within 1,000 ft. meets the applicant's structural specifications and design requirements, or certify that a co-location agreement could not be obtained;
  - (4) Design for multiple use: Applicants must show that a new tower is designed to accommodate additional antennae equal to applicant's present and future requirements;
  - (5) Paint and illumination: tower shall not be painted or illuminated unless required by state or federal regulations;
  - (6) Minimum Setbacks:
    - a. Residential Zones: Towers in residential zones must be set back from all lot lines by distances equal to the zoning district setback requirement or 100% of the tower height, whichever is greater.

- b. **Non-Residential Zones:** Towers in non-residential zones properties must be set back from all property lines by a distance equal to the district's setback requirement or the tower's engineered fall zone, whichever is greater. Fall zones less than the full height of the tower shall be confirmed by an engineer licensed in South Carolina via letter that includes the engineer's signature and seal.

C. **Transportation Terminals.** Facilities for loading and unloading areas for passenger terminals for bus or train service.

- 1. **Examples:** Examples include airports, helicopter landing facilities, bus passenger terminals, and train depots.
- 2. **Uses Not Included:**
  - (1) Bus passenger stations for local service such as mass transit stops and park-and-ride facilities (see Utility Facilities, Government below).

D. **Utility Facilities, Government.** Utility facilities both major utilities, which are infrastructure services providing regional or community wide services, and minor utilities, which are infrastructure services that need to be located in or near the neighborhood where the service is provided.

- 1. **Examples:** Examples include water towers, pump stations, lift stations, public transit park and ride facilities, and electrical substations.
- 2. **Use Specific Standards:**
  - (1) Public Utilities and Public Service Companies provide needed local services including water, sewer, electricity, gas, telephone, and cable services. In order to have a minimum impact on their operating costs and maintain the maximum tax base, the following provisions/exemptions apply to those utilities and service companies as defined in this Section.
  - (2) Minor support facilities for public utilities will be allowed in all zoning districts provided Planning staff has reviewed plans for compliance with the Comprehensive Plan as required under *S.C. Code 1976, §6-29-540*.
  - (3) Minor Site Criteria. No minimum lot area requirement for minor utility stations as long as criteria below can be met:

- a. The minimum setback on all sides is 5 ft.
- b. The maximum impervious surface ratio is 75%.
- c. Maximum height will be in accordance with zoning district regulations.
- d. Each site must be reviewed by the Planning Staff for sight-triangle compliance and visibility before final approval of the above is approved.
- e. All utilities required to be secured with a fence (minimum 6-foot-high opaque).
- f. A Type B buffer shall be required screening the area from public view. If area is wooded, applicant shall preserve the natural vegetation to the maximum extent possible and to meet buffering requirement.
- g. The site may be served via a private access easement or driveway.
- h. The site may be owned by the utility provider or may be on leased land from the property owner with a utility easement.

(4) Exclusions from requirement. Distribution lines and underground utilities are exempt from the above-mentioned criteria.

E. **Sewer Treatment Plants.** A facility designed to collect, treat, and discharge wastewater from a defined service area, including domestic sewage, industrial effluent, and sometimes stormwater runoff, to meet applicable environmental and public health standards.

1. **Use Specific Standards:**

(1) Site review must include an Environmental Assessment and disclosure of emergency procedures.

F. **Electric Substations.** A facility that serves a key component of the electrical generation, transmission, and distribution system. These facilities are used to transform voltage levels, switch power flows, and protect electrical equipment, enabling the delivery of electricity from generation sources to consumers.

1. **Use Specific Standards:**

(1) Site review must include an Environmental Assessment and disclosure of emergency procedures.

G. **Parking Lots and Structures.** A surface parking area or structure which is commercially available to the public, but may also be used to accommodate employees, customers, and clients. No extended parking beyond overnight parking is permitted unless associated with transportation facilities such as an airport, rail, or bus terminal, or living accommodations such as hotels and apartments.

1. **Accessory Uses:** Valet parking, parking booth, vehicle charging units.
2. **Examples:** Examples include a commercial parking lot or parking garage.
3. **Uses Not Included:**
  - (1) Outdoor storage of vehicles, boats, other vehicles, machinery, or equipment (see outdoor storage.)
4. **Use Specific Standards:**
  - (1) A parking structure may feature additional accessory uses such as first floor retail, or rooftop amenities such as a restaurant in mixed-use districts.
  - (2) No extended parking beyond overnight parking is permitted unless associated with transportation facilities such as an airport, rail, or bus terminal, or living accommodations such as hotels and apartments.

## 9.10 SPECIFIC CONDITIONS AND STANDARDS FOR CONDITIONAL USES

1. **Criteria for Review.** The following general guidelines and criteria shall be implemented by the Zoning Administrator and/or the Sumter City-County Zoning Board of Appeals if a case is referred to the Board by the Zoning Administrator. Additionally, the Board shall be guided by *Section A: Administration* as is applicable, in addition to the requirements set forth herein.
  1. That ingress and egress to the proposed use be provided with reference to automotive and pedestrian safety and convenience, traffic generation flow and control, and access in case of fire or catastrophe, such as not to be detrimental to existing or anticipated uses, either adjacent to or in the vicinity of the proposed use;
  2. The off-street parking and loading areas, where required or proposed by the applicant, be designed and provided in harmony with adjacent properties;
  3. That refuse and service areas be adequately screened so as not to be visible from adjacent property or public rights-of-way and shall be located in such a way as not to create a nuisance to adjacent properties;
  4. That screening, buffering or separation of any nuisance or hazardous feature be provided with reference to type, dimensions and character, and be fully and clearly represented on the submitted plans, to protect adjacent properties;
  5. That proposed signs and exterior lighting be provided so as not to create glare, impair traffic safety, or be incompatible with adjacent properties;
  6. That the affected site shall be suitable in terms of size, shape and topographic conditions to accommodate the proposed use, building or project and to ensure compatibility and the safety and welfare of area residents.

## 9.11 MANUFACTURING SPECIAL PERFORMANCE STANDARDS

- A. **Purpose.** The purpose of this section is to prevent land or buildings from being used or occupied in any manner so as to create any dangerous, injurious, noxious or otherwise objectionable or hazardous condition. As a practical matter, the enforcement of this section must result as a response to compliance because a violation cannot be known or remedied before it occurs. Therefore, industries shall be made cognizant of the following standards and shall be required to sign a “compliance guarantee” as a condition for the issuance of a building permit.
- B. **Applicability.** The section is applicable to all new uses, and expansions of existing uses, that meet the criteria of *Section B.9.5.I: Manufacturing*, including food processing uses. Uses meeting the criteria of *Section B.9.5.A: Artisan Food and Beverage Manufacturing*, *Section B.9.5.B: Breweries*, *Section B.9.5.C: Breweries, Micro*, *Section B.9.5.D: Distillery*, and *Section B.9.5.E: Distillery, Micro* are exempt from the standards of this section.
- C. **Standards.**
1. **Vibration.** No vibration shall be produced which is transmitted through the ground and is discernible without the aid of instruments or at any point beyond the lot line. In industrial parks vibration beyond the lot line within the industrial parks, which only effects neighboring industries or commercial enterprises, shall not be a violation if this section. Vibration emanating from construction activities between 7:00 to 9:00 pm shall be exempt from the regulations.
  2. **Fire and Explosives.** All activities and all storage of flammable and explosive materials shall be provided with adequate safety devices against the hazards of fire and explosions, including adequate firefighting and fire suppression equipment.
  3. **Noise.** All noise shall be muffled so as not to be objectionable due to

intermittence, beat frequency or shrillness. In no event shall the sound pressure level of noise radiated continuously from a facility exceed at the lot line the values established in *Table B.9.1: Daytime/Nighttime Maximum A-Weighted Sound Level (decibels)*.

(1) Noise shall be measured in A-weighted decibels (dBA).

(2) The following methods shall be applied when measuring noise pursuant to this section:

- a. A-weighted sound levels shall be measured with an integrated sound level meter (SLM) that meets or exceeds American National Standard Institute S1.43-1997 for Type 1 SLMs. The response of such SLM shall be set to FAST, and a time period of fifteen (15) seconds shall be used. The operator may select another time between a minimum of ten (1) seconds and maximum of one (1) minute if a fifteen (15) second time period cannot adequately capture A-weighted sound level.
- b. Samples shall be taken only when the subject sound can be clearly heard and identified by the operator without any extraneous sounds such as passing traffic, birds songs, etc.
- c. The operator shall take a minimum of three (3) samples that demonstrate the repeatability and consistency of the subject sound. When possible, the operator should also take at least one (1) sample when the subject sound is not heard for the purposes of comparison
- d. The arithmetic average of all samples that demonstrate the repeatability and consistency of the subject sound shall be used to determine compliance with the maximum A-weighted sound levels in *Table B.9.1: Daytime/Nighttime Maximum A-Weighted Sound Level (decibels)*
- e. Sound shall be taken from the point on the receiving property line that is located the closest to the source of the subject sound. The microphone of the SLM shall be aimed toward the source of the subject sound, and standard microphone height of five (5) feet above grade shall be used.

(3) Exemptions. The maximum A-weighted sound levels in *Table B.9.1*:

*Daytime/Nighttime Maximum A-Weighted Sound Level (decibels)* shall not apply to the following:

- a. All aircraft sound.
- b. Sounds created by the operation of power equipment, such as lawn mowers, chain saws, and similar equipment, and construction, demolition, and/or maintenance activities.
- c. Sounds created by generators and accessory equipment operating during an emergency or the request of a utility, and the testing of said generators and associated equipment. Emergency, for the purposes of this section, is defined as any occurrence or set of circumstances involving actual or imminent physical trauma, property damage or loss of electric or phone services, which requires immediate action.
- d. Sounds created by utilities and public uses, including but not limited to, utility substations, utility transmission lines, sanitary landfills, public sewer, and public water.

<b>Table B.9.1: Daytime/Nighttime Maximum A-Weighted Sound Levels (decibels)</b>	
<b>Daytime (7:00 am to 9:00 pm)</b>	
80 dBA	
<b>Nighttime (Any time outside of daytime hours shown above)</b>	
60 dBA	

- 4. **Air Pollution.** The emission of visible smoke, dust, dirt, fly ash, particulate matter from any pipes, vents, or other openings, or from any other source into the air, shall comply with the regulations of the SC Department of Environmental Service (SC DES) and any other government agency requirements applicable to air quality.
- 5. **Odor.** There shall be no emission of odorous gases or other odorous matter in such quantities as to be offensive at the property line. In industrial parks, odor beyond the lot line within the industrial park only effecting neighboring

- industries and commercial enterprises shall not be a violation of this section. Notwithstanding, any process which may involve the creation or emission of any such odor shall be provided with both a primary and secondary safeguard system so that control may be maintained in the event of failure of the primary system.
6. **Glare.** There shall be no direct or sky reflected glare, whether from floodlights, high temperature processing, combustion, welding or otherwise, so as to be visible in any residence.
  7. **Fumes and Vapor.** There shall not be emission of any fumes or vapors of a noxious, toxic, or corrosive nature which can cause damage or irritation to health, animals, vegetation, or to any form of property.
  8. **Heat, Cold, Dampness or Movement of Air:** Activity which could produce any adverse effects on the temperature, motion, or humidity of the atmosphere beyond the lot line shall not be permitted.
  9. **Toxic Matter.** The measurement of toxic matter shall be at the ground level or habitable elevation and shall be the average of any twenty-four (24) hour sampling period. The release of any airborne toxic matter shall not exceed the quantities permitted for those toxic materials currently list in threshold limit values established by the SC DES or any other government entity involved in the regulation of airborne toxic matter.
  10. **Exterior Illumination.** All operations and activities shall comply with *Section C.4: Lighting*.
- C. **Compliance Guarantee.** The applicant of a permit for a use meeting the applicability criteria in *Section B.9.11.B: Applicability* shall acknowledge in writing their understanding of the standards in *Section B.9.11: Manufacturing and Processing Special Performance Standards*. The applicant shall also indicate their agreement to conform with such standards at all times. Any violation after the fact of *Section B.9.11: Manufacturing and Processing Special Performance Standards* shall constitute a violation of the UDO and shall be treated accordingly.